EPIGRAPHIC EVIDENCE FOR BOUNDARY DISPUTES IN THE ROMAN EMPIRE

by Thomas Elliott

A dissertation submitted to the faculty of the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Doctor of Philosophy in the Department of History.

Chapel Hill 2004

Approved by
Advisor: Professor Richard Talbert
Reader: Professor Jerzy Linderski
Reader: Professor Mary Boatwright
Reader: Professor George Houston
Reader: Professor Melissa Bullard

© 2004 Thomas Elliott ALL RIGHTS RESERVED

ABSTRACT

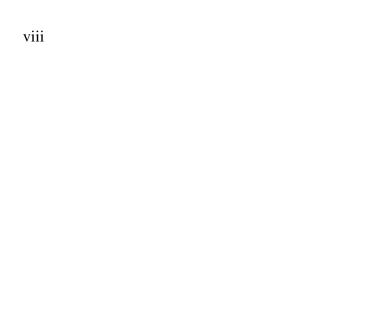
THOMAS ELLIOTT: Epigraphic Evidence for Boundary Disputes in the Roman Empire (Under the direction of Richard Talbert)

This dissertation presents all published Greek and Latin epigraphic documents relating to internal boundary disputes of the Roman empire. In date, it spans the period from 2 BC to the third century AD. Spatially, the documents derive from 12 provinces (Achaia, Africa, Asia, Baetica, Cilicia, Creta et Cyrene, Dalmatia, Iudaea, Lusitania, Macedonia, Moesia and Syria), plus Italy. The presentation of each includes a text, English translation, bibliography and commentary. Analytical chapters expand upon recent published work by G. Burton and B. Campbell. Terminological analysis permits classification of epigraphic and literary evidence into five categories: boundary disputes, restoration of public and sacred lands, other land disputes, the assignment of boundaries and other authoritative demarcations involving Roman officials. The analysis also provides a more focused definition of several Latin and Greek words that indicate the delivery of a verdict by a Roman official (decretum, sententia, iudicium, ἀποφάσις, κρίσις, ἐπικρίμα). Categorization of evidence permits a close examination of the identities and roles of Roman administrative personnel involved in such cases. This analysis indicates that boundary disputes were normally handled at the lowest possible level. In the provinces, disputes between communities or individuals were handled by the governor, sometimes through appointed judges and sometimes in consultation with the emperor. Imperial legates with responsibility for the provincial census seem also to have had authority to adjudicate boundary disputes arising in the course of their duties. Disputes that straddled provincial boundaries or boundaries of imperial estates, or that involved cities with special status or privilege, required the emperor's attention. These cases were normally delegated to special legates. A similar procedure could be employed in Italy, where there was no governor upon whom to rely. In all boundary disputes, the presiding officials seem to have been guided in their actions by the dictates of Roman private law in boundary dispute cases, whether it properly applied to the communities involved or not. In particular, they seem to have observed a requirement that the verdict in a boundary dispute be delivered on site in the presence of the parties to a case.



In memoriam

William H. Willis



ACKNOWLEDGEMENTS

It is not uncommon to hear the Ph.D. dissertation described as both an end and a beginning. On one level, of course, it represents an important major step on the road from student to scholar. In this context, the author hopes to have crafted a fitting beginning to a career of research, teaching and publication. But a dissertation is also the culmination of long years of schooling and preparation, and as such its author owes tremendous debts not only to those who helped directly with the dissertation itself, but also to those teachers, mentors and friends who guided and encouraged him throughout the long years of formal learning.

For direct help on the dissertation (and much besides), I wish to acknowledge first the members of my advisory committee: Prof. Richard Talbert, Prof. Jerzy Linderski, Prof. Mary T. Boatwright, Prof. George Houston and Prof. Melissa Bullard. From the earliest stages of exploration, through proposal, research, writing and defense, they have been unstintingly supportive, insightful and encouraging. So many errors have been avoided, and so many aspects sharpened, because of them that I hope they too will take pride in this work. If anyone envies me this committee, they are justified.

I wish to single out Richard Talbert, my graduate advisor, for special thanks. Over the 10 years of our acquaintance, he has been a tireless and unfailing guide, teacher and friend. The opportunity to study with him, first at the University of Alabama in Huntsville, and then here at Carolina, has been one of the greatest privileges of my life. If I can demonstrate even a fraction of his dedication, energy and acumen in my future research and teaching, I will have done a great service to the field and to society.

The help of colleagues in the History, Classics, Classical Archaeology and Information Science graduate programs here at Carolina constitutes another essential element in the completion of this dissertation and my graduate training as a whole. It is a rare experience indeed to be surrounded by minds of such caliber, and such friendliness: Jeff Becker, Hilary Becker, Prof. Lee Brice, Dr. Hugh Cayless, Jay Chhana, Noel Fiser, Christopher Fuhrmann, Dr. John Hansen, Brian Lund, Kathy McDonnell and Dr. Daniëlle Slootjes.

The present work has also benefited from the kindness and advice of colleagues and friends around the world. I can only hope that I have remembered them all: Prof. Gary Bishop, Dr. Gabby Bodard, Prof. John Bodel, Prof. Michael Crawford, Dr. Charles Crowther, Mike Dendy, Max Gilbert, Jim Hasik, Joyce Reynolds, Prof. Kent Rigsby, Charlotte Roueché, Prof. Ross Scaife, Prof. Philip Stadter and Prof. John Wilkes.

An essential prerequisite for an epigraphic study – particularly one that does not confine itself to a single region – is an appropriate library collection. I am indeed fortunate that the library system of the University of North Carolina at Chapel Hill has one of the best collections for the study of Greek and Latin epigraphy in North America. The decision of the library, in consultation with faculty in Classics and Ancient History, to maintain and improve the special Epigraphy Room originally specified by the late Prof. T.R.S. Broughton magnifies the value of this collection immensely. The care of Dr. John Rutledge and his colleagues in Library Acquisitions to identify and procure epigraphic publications (even obscure, out-of-print ones) is exemplary. Their investment is backed up by the excellent work of the Preservation staff, which last year undertook a major conservation and stabilization effort in the Epigraphy Room. For those items that were not in the collection and could not be purchased for it, I have been happily reliant upon the staff of Interlibrary Services, and in particular, upon Dr. Sellers Lawrence, who handled the majority of my loan requests. Were it not for their alacrity and ingenuity, I would never have finished. The library here, an aggregate of people, facilities and collections, is a treasure of the institution, of the state, and of the nation. I am honored to have been able to use it.

Sue Robeson and Brandon Bowman in the Graduate School Office of Enrolled Students provided invaluable assistance with formatting and document structure. I greatly appreciate their patience, guidance and approachability.

This dissertation represents an important opportunity for me to record the influence of other teachers whose contributions to my intellectual growth and development were indispensable to the completion of this work. I have already mentioned Richard Talbert, who stands as the most recent in this line.

I owe Latin, and thereby the opportunity of graduate school, to Prof. Richard Gerberding, whose 20-plus years of labor in the fertile soil of north Alabama has borne much fruit already. I am but one of the many seeds he has cultivated. Though he maintains that the beauty of the language he teaches, and the glory of its study, derives from its intrinsic uselessness, I will

disagree with him eternally. Through the study of Latin, he gives to his students the most useful of all gifts: broadened horizons and the intellectual wherewithal to explore them.

I owe not only Greek, but also the kindling of interest in antiquity itself, to the late Prof. Bill Willis. Most of my friends know the story of a freshman who, confronted with a College requirement for a foreign language, enrolled in Classical Greek on impulse, hoping to learn something obscure and to discover whether the preachers of my childhood had fairly represented the language and meaning of the biblical texts they expounded. In the hardest and most engaging classes of my academic career, I learned these things, and more: how to study methodically and how to persevere in the face of significant potential for personal failure. Without Prof. Willis' unflagging encouragement, and without the infectious example of his passion for the ancient world, I would not have succeeded and would not have been inspired to study ancient history.

To Marti Waite and Dr. Janet Atha, then colleagues in the English Department at Randolph School, I owe the discovery of the power and practice of written thought, the development of critical methods, and a sensitivity to the spiritual connectedness that runs through and informs all true products of human spirit and imagination. Without these gifts, I would have been insensitive to the unexpected opportunity of Greek, and incapable of rising to the subsequent challenges, not least the writing of this dissertation.

Much of the foundation on which these teachers built was laid by Margaret Sandlin and MaryAnn Thompson. Creativity, confidence, exploration and respect for others are just a few of the inestimable gifts they gave to me, and to so many other young people. When we are young, we are blissfully unaware of how hard the adults around us are working for us, and how important their work is. I am happily beginning to discover how lasting those influences are.

The hard work and brilliance of my teachers, summarized however inadequately here, would have been fruitless were it not for my parents, Bob and Sally Elliott, and my brother Matt. It is impossible to sum up in any number of words my gratitude for the experience of growing up with them. If I enjoy learning new things, if I work hard, if I contribute to society, if I love life, if I know how to laugh, it is because of their direction and concern. The three of them are my earliest, and most long-standing, teachers. My success is predicated upon their love, their support and their example. I could not have asked for a better start, a better home, a better legacy or better friends.

There are two more people I wish to thank: my dear friends Larry Atha and Amy Hawkins.

Larry, you have been an unfailing voice of encouragement and balance in my life for over twenty years. I have never appreciated it more – though I should have – than in the past two, as I worked on this project. There is nothing more encouraging than the matter-of-fact confidence of a person you respect. I appreciate the time you make for me in your busy life and the interest you have always shown for my ideas.

Amy, thank you for making all this possible. The luckiest of people hope to count, in a lifetime of friends and acquaintances, a partner, some good pals, a few confidants, a brilliant colleague and even a constructive critic or two. For me, you embody all these roles in perfect measure. I have known you for so long, and so well, that I cannot imagine functioning apart from you. Intellectually, emotionally, spiritually and practically you have enabled and enriched my dream of graduate school, weaving it into the rich fabric of our life together. This dissertation is complete because of you, just as my life is complete because of you. Thank you for dreaming my dream. Thank you for coming with me. Thank you for the future to come.

τὸ τέλος.

TABLE OF CONTENTS

		Page
LI	IST OF TABLES	xvii
LI	IST OF FIGURES	xix
Al	BBREVIATIONS USED FOR MODERN BOOKS, JOURNALS AND SERIES	xxi
Cł	hapter	
1	INTRODUCTION	1
	Limitations	8
2	CLASSIFICATION OF EVIDENCE	11
	Using vocabulary to identify boundary disputes	11
	Starting point: the bilingual verdicts of C. Avidius Nigrinus (Delphi)	12
	Other extant verdicts in boundary disputes	17
	decreta	17
	ἀποφάσεις	20
	sententiae	20
	iudicia	21
	κρίσεις	21
	Other verdicts	21
	Letters: epistulae and ἐπιστολαί	22
	Letters from emperors	22
	Latters from governors	24

	Letters from appointed judges	. 24
	Letters to governors	. 25
	Letters: conclusion	. 25
	Boundary markers placed in accordance with a verdict	. 26
	ex decretis	. 27
	κατὰ ἀπόφασιν	.28
	ex sententia	. 28
	Boundary markers placed in accordance with an imperial letter	. 29
	Boundary markers that mention the "hearing of a case" (causis cognitis)	. 29
	Boundary markers recording agreement between the parties	. 30
	Imperial orders: iussa, κελεύσεις and praecepta	.31
	Edicts: edicta or διαταγαί	. 32
	Literary testimony	. 33
	The restoration of boundaries	. 34
	Authoritative demarcations	. 36
	Boundaries demarcated on the authority of the emperor	. 37
	Boundaries demarcated on the authority of someone else	. 38
	Categories of evidence	. 39
3	PERSONNEL	.41
	Provincial governors	.41
	Imperial legates other than governors	. 48
	Imperial procurators	. 49
	Census officials	. 52
	The Senate	. 54
	Emperors	. 55
	Conclusions	. 59

4	EVIDENTIARY CATALOG	61
	Disputes involving boundaries	63
	The restoration of property	164
	Other types of land disputes	191
	Grants of land and the assignment or restoration of boundaries	196
	Other authoritative demarcations	203
PF	ROSOPOGRAPHICAL INDEX	247
CO	ONCORDANCE OF EDITIONS	295
W	ORKS CITED	317



LIST OF TABLES

Table		Page	
1	Distinctive Terminology Drawn from the Nigrinus dossier	16	



LIST OF FIGURES

Figure		Page	
1	Events Reflected in the Documents from the 'Archive Wall' at Coronea	141	

ABBREVIATIONS USED FOR MODERN BOOKS, JOURNALS AND SERIES

This list presents all modern works cited by abbreviation. For ancient works, the practice of OCD³ has been followed. For modern works cited by short title, please consult the list of "Works Cited."

AA Archäologischer Anzeiger, Berlin, 1963-.

AAA S. Gsell, *Atlas archéologique de l'Algérie*, Algiers and Paris,

1911.

AE L'Année épigraphique: revue des publications épigraphiques

relatives à l'antiquité romaine, Paris, 1888-.

Africa Africa = Afriqiyah, Ministère des affairs culturelles, Tunis,

1966-.

Africa romana 9 A. Mastino (ed.), L'Africa romana: Atti del IX convegno di

studio, Nuoro, 13-15 dicembre 1991, 2 vols., Sassari, 1993.

Africa romana 10 A. Mastino and P. Ruggeri (eds.), L'Africa romana: Atti del X

convegno di studio Oristano, 11-13 dicembre 1992, 3 vols.,

Sassari, 1994.

Africa romana 11 M. Khanoussi et al. (eds.), L'Africa romana: Atti del XI

convegno di studio, Cartagine, 15-18 dicembre 1994, 3 vols.,

Ozieri, 1996.

AHB Ancient History Bulletin, Calgary, Chicago, 1987-.

AIRRS Acta Instituti Romani Regni Sueciae = Skrifter utgivna av

Svenska institutet i Rom Lund, 1932-. Title varies.

AJA American Journal of Archaeology: Journal of the

Archaeological Institute of America, New York, 1897-.

AJP American Journal of Philology, Baltimore, 1880-.

Am. Studies in Papyrology American Studies in Papyrology, American Society of

Papyrologists, New Haven, 1966-.

Ancient Macedonia V Ancient Macedonia V: Papers Read at the Fifth International

Symposium Held in Thessaloniki, October 10-15, 1989, 3 vols.,

Thessaloniki, 1993.

Ancient Macedonia VI Ancient Macedonia VI: Papers Read at the Sixth International

Symposium Held in Thessaloniki, October 15-19, 1996, 2 vols.,

Thessaloniki, 1999.

AnnScAA Annuario della Scuola archeologica di Atene e delle missioni

italiane in Oriente, Rome, 1914-.

AntAf Antiquités Africaines, Paris, 1967-.

Arch (Sofia) Arkheologiia, Arkheologicheski institut i muzei, Bulgarska

akademiia na naukite, Sofia, 1959-.

ArhVest Arheološki vestnik, Ljubljana, 1950-.

AS Anatolian Studies: Journal of the British Institute of Archaeology

at Ankara, London, 1951.

ASTL Archivio storico di Terra di Lavoro, Caserta, 1956-.

Athenaeum: Studi periodici di letteratura e storia dell'antichità,

Pavia, 1913-.

BAA Bulletin d'Archéologie algérienne, Paris, 1961-.

BAR International Series British Archaeological Reports International Series London,

1978-.

BAtlas R. Talbert (ed.), Barrington Atlas of the Greek and Roman

World, Princeton, 2000.

BCH Bulletin de correspondance hellenique, Athens, Paris, 1877-.

BCPE Cronache ercolanesi: Bolletino del Centro internazionale per lo

studio dei papiri ercolanesi, Naples, 1971-.

BCTH Bulletin archéologique du Comité des travaux historiques, Paris,

1885-1963; n.s. to 1971.

BE Bulletin épigraphique, Paris, 1888-1984. Originally published

annually in REG. The years 1938-1984, which were produced under the editorship of J. and L. Robert, were reprinted in a 10

volume set under the same title, Paris, 1972-1987.

BEFAR Bibliothèque des Écoles Françaises d'Athènes et de Rome

Athens and Paris, 1877-. Place of publication varies.

BMCR Bryn Mawr Classical Review, Bryn Mawr, PA, 1990-; URL:

http://ccat.sas.upenn.edu/bmcr/.

Bronces y Religion Romana Bronces y Religion Romana: Actas del XI Congresso

Internacional de Bronces Antiguos, Madrid, Mayo-Junio 1990,

Madrid, 1993.

BSA The Annual of the British School at Athens, London, 1895-.

BSAF Bulletin de la Société nationale (impériale) des antiquaires de

France, Paris, 1857-.

Bullettino dell' Instituto Bullettino dell' Instituto di Corrispondenza Archeologica =

Bulletin de l'Institut de correspondance archéologique, Rome,

etc., 1829-1885.

CAH² The Cambridge Ancient History, Cambridge, 1970-2000.

Cahiers Glotz Cahiers du Centre Gustave Glotz, Geneva, 1990-.

Chiron, Munich, 1971-.

CIL Corpus Inscriptionum Latinarum, Akademie der

Wissenschaften, Berlin, 1862-. A complete overview and publication details for all volumes are provided on the CIL website at http://www.bbaw.de/forschung/cil/pub.html

Ciudades augusteas Symposion de Ciudades Augusteas, Ciudades augusteas de

Hispánia: bimilenario de la colonia Caesaraugusta, 2 vols.,

Zaragoza, 1976.

CJ The Classical Journal, Classical Association of the Middle West

and South, Gainesville, FL etc., 1905-. Place of publication

varies.

CollEFR Collection de l'École Française de Rome Rome, 1972-.

Const Annuaire de la Société archéologique de la province de

Constantine = Recueil des notices et mémoires de la Société archéologique de la province (du département) de Constantine,

Constantine, 1853-.

CRAI Comptes rendus des séances (Académie des inscriptions &

belles-lettres), Paris, 1858-.

DenkWien Denkschriften: Österreichische Akademie der Wissenschaften,

philosophisch-historische Klasse Vienna, 1850-. Title varies.

DHA Dialogues d'histoire ancienne, Université de Besançon., Centre

de recherches d'histoire ancienne., Institut des sciences et

techniques de l'antiquité, Paris, 1974-. Title varies.

DizEpig E. De Ruggiero (ed.), Dizionario epigrafico di antichità romane,

Rome, 1886-.

EA Epigraphica Anatolica, Bonn, 1983-.

EAM T. Rizakis and G. Touratsoglou, *Epigraphes ano Makedonias*

(Elimeia, Eordaia, Notia Lygkestis, Orestis): Tomos A.

Katalogos Epigraphon, Athens, 1985.

EB J. Fossey, Epigraphica Boeotica: Studies in Boiotian

Inscriptions, Amsterdam, 1991-.

EDH G. Alföldy (director), Epigraphische Datenbank Heidelberg,

Heidelberg, 1998-; URL: http://www.uni-heidelberg.de/institute/sonst/adw/edh/.

EE Ephemeris Epigraphica: Corporis Inscriptionum Latinarum

Supplementum, 9 vols., Rome; Berlin, 1872-1913.

EncBerb Encyclopédie berbère, Aix-en-Provence, 1984-.

Epigraphica, Dipartimento di storia antica dell'università di

Bologna, Faenza, 1939-.

ERCanosa M. Chelotti, *La Epigrafi romane di Canosa*, 2 vols., Bari, 1990.

Euphrosyne, Instituto de Alta Cultura (Portugal), Centro de

Estudos Clássicos, Olisipone, 1957-.

FA Fasti archaeologici: Annual bulletin of classical archaeology,

International Association for Classical Archaeology, Florence,

1946-1986.

FD Fouilles de Delphes Paris, 1902-.

FdXanthos Fouilles de Xanthos Paris, 1958-.

FIRA S. Riccobono et al, eds., Fontes Iuris Romani Antejustiniani, 3

vols., Florentia, 1940-1943.

Gerión, Facultad de Geografía e Historia, Universidad

Complutense de Madrid, Madrid, 1983-.

GRBS Greek, Roman and Byzantine Studies, Duke University, 1959-.

HAnt Hispania Antiqua: Revista de Historia Antigua, Vitoria, Spain,

1971-.

HEp Hispania Epigraphica, Madrid, 1989-.

Hesperia Hesperia, Institute for Advanced Study and the American School

of Classical Studies in Athens, Princeton, 1932-.

Horos, Athens, 1983-.

Hypomnemata: Untersuchungen zur Antike und zu ihrem

Nachleben Göttingen, 1962-.

IAGIL M. Almagro, Las inscripciones ampuritanas griegas, ibéricas y

latinas, Barcelona, 1952.

IApollonia	J. Reynolds, "The Inscriptions of Apollonia" in <i>Apollonia, the Port of Cyrene. Excavations by the University of Michigan</i> , Tripoli, 1976, pp. 293-333.
IArykanda	S. Şahin, Die Inschriften von Arykanda, IK 48, Bonn, 1994.
ICret	M. Guarducci, <i>Inscriptiones creticae, opera et consilio Friderici Halbherr collectae</i> , 4 vols., Rome, 1935-1950.
IEph	Die Inschriften von Ephesos, 10 vols., IK 11, Bonn, 1979
IG	Inscriptiones Graecae Akademie der Wissenschaften, Berlin, 1873 A complete overview and publication details for all volumes are provided on the IG website at http://www.bbaw.de/forschung/ig/pub.html
IGBulg	G. Mihailov, <i>Inscriptiones Graecae in Bulgaria repertae</i> , Sofia, 1956-1966.
IGLNovae	J. Kolendo and V. Bozilova, <i>Inscriptions grecques et latines de Novae (Mesie Inferieure)</i> , Paris, 1997.
IGLS	L. Jalabert, R. Mouterde et al., <i>Inscriptions grecques et latines de la Syrie</i> , Paris, 1929
IGR	R. Cagnat et al., <i>Inscriptiones Graecae ad Res Romas</i> Pertinentes, Paris, 1901-1907.
IK	Inschriften griechischer Städte aus Kleinasien, Universität zu Köln and Österreichische Akademie der Wissenschaften, Bonn, 1972
ILAfr	R. Cagnat and A. Merlin, <i>Inscriptions latines d'Afrique</i> (<i>Tripolitaine, Tunisie, Maroc</i>), Paris, 1923.
ILAlg	S. Gsell and HG. Pflaum, <i>Inscriptions latines de l'Algérie</i> , 2 vols., Paris and Algiers, 1922, 1957.
ILBulg	B. Gerov, <i>Inscriptiones Latinae in Bulgaria repertae</i> , Sofia, 1989.

ILGR	M. Şaşel Kos, Inscriptiones Latinae in Graecia repertae: additamenta ad CIL III, Faenza, 1979.
ILHSavoie	B. Remy, Inscriptions Latines de Haute-Savoie, Annecy, 1995.
ILJug 3	A. Šašel and J. Šašel, <i>Inscriptiones Latinae quae in Iugoslavia inter annos MCMII et MCMXL repertae et editae sunt</i> , Situla 25, Ljubljana, 1986.
ILS	H. Dessau, <i>Inscriptiones latinae selectae</i> , 2d ed., 3 vols., Berlin, 1954-1955.
ILT	A. Merlin, Inscriptions latines de la Tunisie, Paris, 1944.
Index	Index: Quaderni camerti di studi romanistici = International survey of Roman law, Naples, 1970
IPhilippi	P. Pilhofer, <i>Katalog der Inschriften von Philippi</i> , Pilhofer 1995 vol. 2, 2000.
IRC	G. Fabre, M. Mayer and I. Rodà, <i>Inscriptions romaines de Catalogne</i> , 4 vols., Paris, 1984-1997.
IRT	J. Reynolds and J. Ward Perkins, <i>The Inscriptions of Roman Tripolitania</i> , Rome, London, 1952.
IScM	Inscriptiones Scythiae Minoris graecae et latinae II = Inscriptiile din Scythia Minor grecesti si latine, Seria a doua Bucarest, 1980
IScM 1	D. Pippidi (ed), <i>Histra et vicinia = Histria si împrejurimile</i>,2d. ed., IScM 1, Bucarest, 1983.
IThess	JC. Decourt, Inscriptions de Thessalie, Athens, 1995
JHS	Journal of Hellenic Studies, Society for the Promotion of Hellenic Studies, London, 1880
JÖAI	Jahreshefte des Österreichischen Archäologischen Institutes in Wien, Vienna, 1898

JRS The Journal of Roman Studies, Society for the Promotion of

Roman Studies, London, 1911-.

JRS Monograph Journal of Roman Studies Monograph Society for the Promotion

of Roman Studies, London, 1982-.

Karthago: Revue d'archéologie africaine, Paris, 1950-.

Klio: *Klio: Beiträge zur alten Geschichte*, Deutsche Akademie der

Wissenschaften zu Berlin, Leipzig, 1901-.

Ktema: Civilisations de l'Orient, de la Grèce et de Rome

Antiques, Université des sciences humaines de Strasbourg,

Strasbourg, 1976-.

LA Libya Antiqua, Directorate-General of Antiquities, Museums,

and Archives, Tripoli, 1964-.

L'Afrique dans l'Occident L'Afrique dans l'Occident romain: Ier siècle av. J.-C.-IVe siècle

ap. J.-C., actes du colloque, Rome, 3-5 décembre 1987, Rome,

1990.

Lettres de Saint Augustin Les Lettres de Saint Augustin découvertes par Johannes Divjak:

Communications présentées au colloque des 20 et 21 Septembre

1982, Paris, 1983.

Libyca: Archéologie, Épigraphie, Algiers, 1953-.

Lille d'archéologie 1976 Archéologie militaire; Les pays du Nord: actes du 101e Congrès

national des sociétés savantes, Lille, 1976, Section d'archéologie

et d'histoire de l'art, Paris, 1978.

Makedonika Μακεδονικά: σύγγραμμα περιοδικόν, Εταιρεία Μακεδονικών

Σπουδών, Thessalonike, 1940-.

MAMA Monumenta Asiae Minoris Antiqua, 10 vols., Manchester,

London, 1928-1993.

McCrum-Woodhead M. McCrum and A. Woodhead, Select Documents of the

Principates of the Flavian Emperors AD 68-96, Cambridge,

1961.

MCV Mélanges de la Casa de Velazquez, Madrid, Paris, 1965-.

MEFRA Mélanges d'Archéologie et d'Histoire, Antiquite, École

Française de Rome, Paris, 1971-. Continues MEFR.

Mélanges Boissier Mélanges Boissier: Recueil de Mémoires concernant la

littérature et les antiquités romaines dédié a Gaston Boissier,

Paris, 1903.

Mémoires Lille Mémoires de la Société (royale, impériale, nationale) des

sciences de l'agriculture et des arts de Lille Lille, Paris, 1827-.

MemoirsAPS Memoirs of the American Philosophical Society Philadelphia,

1935-.

Mixed Language Inscriptions R. Kearsley (ed.), Greeks and Romans in Imperial Asia: Mixed

Language Inscriptions and Linguistic Evidence for Cultural Interaction until the End of AD III, IK 59, Bonn, 2001.

NouvArch Nouvelles archives des missions scientifiques et littéraires;

Choix de rapports et instructions, Paris, 1891-.

NPauly H. Cancik and H. Schneider (eds.), *Der Neue Pauly*:

Enzyklopädie der Antike, Stuttgart, 1996-.

NSA Notizie degli scavi di antichità, Accademia dei Lincei, Rome,

1876-.

OCD³ S. Hornblower and A. Spawforth, eds., *The Oxford Classical*

Dictionary, 3rd ed., Oxford, 1996.

OGIS W. Dittenberger, *Orientis graeci inscriptiones selectae*.

Supplementum Sylloges inscriptionum graecarum, 2 vols.,

Leipzig, 1903-1905.

Ostraka Istituto di studi comparati sulle società antiche, Università di

Perugia, Ostraka: Rivista di antichità, Naples, 1992-.

P.Babatha N. Lewis, The Documents from the Bar Kochba Period in the

Cave of Letters: Greek Papyri, Jerusalem, 1989.

PIR² Prosopographia Imperii Romani saeculi I, II, III, 2d. ed., Berlin,

1933-.

PLRE A. Jones et al (eds.), The prosopography of the later Roman

Empire, Cambridge, 1971-.

QAL Quaderni di archeologia della Libia, Rome, 1950-.

RAALN Rendiconti dell'Accademia di Archeologia e Lettere, Accademia

di archeologia, lettere e belle arti, Napoli, Naples, 1865-.

RE Pauly-Wissowa, Realencyclopädie der classischen

Altertumswissenschaft, Stuttgart, 1893-1978.

REA Revue des Études Anciennes, Paris, 1899-.

Recueil Plassart : études sur l'antiquité grecque offertes à André

Plassart par ses collègues de la Sorbonne, Paris, 1976.

RevAfr Revue africaine, Algiers, 1856-.

RIT G. Alföldy, Die Römischen Inschriften von Tarraco, 2 vols.,

Madrider Forschungen 10, Berlin, 1975.

Roman Frontier Studies 1995 W. Groenman-van Waateringe et al. (eds.), Roman Frontier

Studies 1995: Proceedings of the XVIth International Congress of Roman Frontier Studies, Oxbow Monograph 91, Oxford,

1997.

RSL Rivista di Studi Liguri, Istituto internazionale di studi liguri,

Bordighera, 1934-.

SEG Supplementum Epigraphicum Graecum, Amsterdam, 1923-.

Situla Situla: Dissertationes Musei Nationalis Labacensis Narodni

muzej v Ljubljani, Ljubljana, 1960-.

SkrSvenInst Skrifter utgivna av Svenska institutet i Rom. 40 (= Acta Instituti

Romani Regni Sueciae. Series in 40) Stockholm, 1946-.

StudHist Studia Historia: Historia Antigua, Salamanca, 1983-.

Syria: Revue d'art oriental et d'archéologie, Haut Commissariat

de la République française en Syrie et au Liban, Institut français

d'archéologie de Beyrouth, Paris, 1920-.

TAM Tituli Asiae Minoris, Vienna, 1901-.

TAPA Transactions of the American Philological Association, (varies),

1874-.

Thasos J.Pouilloux et al, Recherches sur l'histoire et les cultes de

Thasos, 2 vols., Paris, 1954-1956.

Thrakika Θρακικά: Τριμηνιαῖον ἐπισημονικόν σύγγραμμα ἱδρύθεν καὶ

ἐκδιδόμενον ὑπὸ τοῦ ἐν Ἀθήναις 'Θρακικοῦ Κέντρου', Athens, 1928-1974. Continued by: Θρακικά: Περιοδικὸν ἐκδιδόμενον ὑπὸ τοῦ ἐν Ἀθήναις 'Θρακικοῦ Κέντρου' καὶ τῆς 'Έταιρίας Θρακικῶν

Μελετῶν', 1978-.

TRTurquie Travaux et Recherches en Turquie L'Institut Français d'Études

Anatoliennes d'Istanbul, Leuven, 1982-.

ZAnt Ziva Antika (Antiquité vivante), Skopje, 1951-.

ZPE Zeitschrift für Papyrologie und Epigraphik, Bonn, 1967-.



CHAPTER 1

INTRODUCTION

This dissertation was begun with the intent to identify, present and analyze the evidence for boundary disputes internal to the Roman empire that involved the Roman imperial administration in some way. Strictly private disputes, as well as any involving the external borders of the empire, were to be excluded unless they provided helpful insights. This work had its genesis in a research seminar paper written for R. Talbert in 1997. Inspired in part by Brian Campbell's article on Roman land survey, the paper collected and analyzed some of the Latin epigraphic evidence for boundary disputes. It was clear from that project that a wider effort, involving both Greek and Latin sources, might well prove valuable in reinforcing or modifying some of the provisional conclusions reached then.

There is no published comprehensive study of boundary disputes and demarcation during the Roman Empire. Indeed, it is not even possible to point to a reliable published list – let alone a textual corpus – of the relevant documents.² The dissertation therefore required, in the first instance, the assembly of an evidentiary catalog, with reference to the most recent editions and analyses of the relevant documentary texts. This labor was well advanced when, in 2000, two relevant works appeared in print. Both of these have been helpful in fleshing out and verifying my evidentiary catalog. They have also had an important impact on the agenda and form of this work, for their approach to the evidence clarified in my mind the deficiencies of the standard

¹ Campbell 1996.

² Much of the relevant evidence for Republican-era boundary disputes in the Greek world (where there was a long-established tradition of boundary demarcation and territorial dispute) has been brought together under the rubric of "interstate arbitration" by Piccirilli 1973 and Ager 1996. A long-standing call for a comprehensive epigraphic corpus of all Greek boundary demarcations at all periods, currently championed by D. Rousset (Rousset 1994), has yet to appear (contributions to its bibliography have recently been made: Pikoulas 1998 and Pikoulas 1999). There has been no attempt to assemble all the relevant Latin evidence, nor (apart from Burton 2000, see below) any attempt to place it alongside the Greek evidence for the imperial period in order to obtain a "global" picture of procedure, personnel, function or effectiveness. This is a serious deficiency, given widespread scholarly recognition of the importance of internal boundaries and civic territories of the Roman period as they affected economy, taxation, local and imperial politics, and civic and regional identity, to name just a few important areas. In the main, only general comments or narrow topical and regional studies have appeared, e.g., Aichinger 1982 (an important piece of work that clarifies the jurisdictional responsibilities and limitations of Roman officials vis-à-vis boundary demarcation).

ways in which almost all scholars approach, cite and discuss the documentary evidence for the internal boundaries of the Roman empire.

The first of these, B. Campbell's long-awaited annotated edition and translation of important works from the *Corpus Agrimensorum*, provided readier access to these important and difficult texts together with insightful commentary, notes and indices.³ Of particular value for my purposes was Appendix 3, "Epigraphic Evidence for the Settlement of Land Boundaries and Disputes," pp. 454-467. This list derives, in part, from the unpublished notes and epigraphic catalog of J. Wilkes, originally compiled with the intent of building on his published study of "Boundary Stones in Roman Dalmatia" with a larger work that would "discuss these boundary settlements, along with similar records from other provinces, in the wider context of Roman provincial government." This study never appeared. The catalog as published in Campbell 2000 is arranged geographically and includes not only those documents that attest to disputes and boundary settlements, but also inscribed boundary markers of many types (including private ones), indications of land leases, road construction (where survey is mentioned) and the like. I have thoroughly collated this list against my own catalog. Where a document can be dated to the imperial age, and where it attests to a boundary dispute or an authoritative boundary demarcation by a Roman administrative official, it will be found in my catalog.

³ The detailed indices are particularly helpful for navigating the myriad useful bits of analysis and commentary in the notes, and for finding sections in the texts topically. Searching for particular words or phrases is still better accomplished electronically, using the PHI CDROM 6, which incorporates the text from C. Thulin's edition of 1913. Campbell reproduces Thulin's reference system alongside his own, but reorders many texts. A comparative table of contents would have been helpful.

⁴ Thus Wilkes 1974, 258. See Campbell 2000, xv. Personal communication of J. Wilkes, 5 Sep 2002.

⁵ A vague and commonly used phrase that implies the resolution of a dispute. It is frequently applied to any evidence bearing on the boundary between (e.g.) two civic territories, whether a dispute is actually attested or not. It is this imprecision that I hope to redress.

⁶ Note that I cannot provide a concordance between the Wilkes-Campbell list, as Campbell did not introduce his own numbering system for the individual documents. Any edition cited by Campbell is also cited in my catalog, and so the Concordance of Editions may be used to compare his list to mine.

The second relevant work to appear in 2000 was an article by G. Burton, entitled "The Resolution of Territorial Disputes in the Provinces of the Roman Empire." The title only tells part of the story, for:

the subject matter of this article, the resolution of territorial disputes between communities **and the authoritative demarcation of fixed boundaries** ... represents both a distinct arena for the exercise of public authority and a distinct expression of the subordination of provincial subjects and communities to, and their integration in, the imperial state.⁸

Burton's conclusions are important, and they are discussed in more detail in Chapter 2 of this dissertation. Methodologically, his most valuable contribution is the idea of the "authoritative demarcation" as a general classification for a particular type of boundary-related activity reflected in our sources. Simply put, an authoritative demarcation is any boundary demarcation conducted by an agent of the state acting in an official capacity. The boundaries so demarcated therefore had legal standing as an expression of the will of the state. As such, we might classify as the product of authoritative demarcations those boundaries that were defined through the resolution of a dispute, by imposition as a reward or punishment, or for some other purely administrative reason (such as colonial land distributions to military veterans). Excluded from this group, for example, would be those demarcations attested by boundary markers that do not cite the involvement of an imperial official.

It is worthwhile to note that, within the broad category of "authoritative demarcations," there may have been significant differences in the motivation, personnel and procedures for different instances of demarcation. Burton tacitly recognizes this when he addresses the topic of new demarcations that created "fixed and authoritatively recognized boundaries." This discussion cites a number of demarcations from North Africa that are often interpreted as a progressive Roman initiative to "reservationize" nomadic and transhumant peoples for the purpose of establishing "geographically bounded systems of public authority." This brief discussion introduces a valid subcategory of authoritative demarcations, boundary assignments, but most of the evidence cited betrays an inadequate command of the sources. ¹⁰

⁷ Burton 2000. Its conclusions have since been repeated elsewhere (and in some ways generalized) by its author, e.g., Burton 2002 and Burton 2002b.

⁸ Burton 2000, 195, emphasis mine.

⁹ Burton 2000, 203.

¹⁰ Burton 2000, 203 and notes 34-35. Burton cites 11 separate entries in his own evidentiary appendix. Careful analysis of these reveals that only two of them unproblematically support his assertion: Burton no. 56 = my Instance 71, two identical boundary inscriptions that record the assignment of boundaries (*fines adsignati*) to the *gens Suburburum*. Whereas Instance 71 signals the assignment of boundaries, Burton no.

Burton includes his own evidentiary catalog, "Appendix: The Adjudication of Territorial Disputes by Provincial Governors and Special Legates." The list is more focused than Campbell's, including only those authoritative demarcations identified by Burton. A number of deliberate omissions obtain, and are signaled variously throughout the article: "fragmentary texts and putative decisions based on substantial epigraphic restoration ... [and] decisions made on the authority of an emperor which do not record any specific agent of public authority," as well as "authoritative decisions concerning the allocation and regulation of private and public property within the territory of any individual city." Demarcations within Italy are also omitted, as not corresponding to the activities of Roman provincial administration. This focus – while running the risk of suppressing some relevant documents – gets us closer than the Wilkes-Campbell list to a manageable body of evidence that we can use for the study of Roman imperial boundary disputes. A deliberate examination of evidence has been made and a selective presentation, based on specific criteria, prepared.

54 = Texts 81.1 and 81.2 signal the assignment (i.e., lease) of public lands of *Cirta* to two indigenous peoples, the Suburbures Regiani and the Nicives. These boundary markers, which find analogues elsewhere, must be interpreted in the context of the large number of other boundary markers known from the area of Cirta. They clearly indicate that we are dealing with a centuriated area in which many different types of landholders had stakes, both permanent (i.e., Roman citizen veterans and the colonia Cirta itself), and the indigenous peoples who presumably had occupied the area before the colonial foundation and were now compelled to lease back their own land from the occupiers. The proximate cause for the erection of these markers (of Vespasianic date) may have been a dispute and investigation over the occupation of public lands by private parties, a type of local problem for which we have imperial involvement attested at *Pompeii*, *Aizanoi* and elsewhere (see Instances 65 and 68). Burton 77 = Instance 85 records the Hadrianic re-installation of earlier boundary markers that had been placed by an imperial legate of uncertain date. The earlier demarcation might have constituted the creation of a new boundary, but it might equally have arisen from a dispute. Burton no. 78 = Instance 28 concerns a negotiated boundary in Africa proconsularis between two indigenous peoples, authoritatively endorsed by the legate in command of Legio III Augusta (why he should have been involved in such a matter in an area properly under the proconsul's jurisdiction and outside his own is a mystery). Burton nos. 55 and 79-82 = Instance 89 all relate to two distinct, early second-century, authoritative demarcations of the territory of the Musulamii (another indigenous people). The limited terminology employed on these markers does not permit them to be distinguished a priori from markers associated with dispute resolution. If an argument is to be made for the "reservationizing" of the Musulamii, it must be based on other evidence. NB: Burton omits to cite at this point his own no. 85, another of the other markers related to the *Musulamii* (more markers have been published since he wrote). Burton nos. 86 and 87 = Instance 41 are assuredly not the product of imposed boundary demarcations. Rather, their language makes it completely clear that two temporally separate demarcations proceeded in accordance with verdicts rendered by Roman officials in legally tried disputes over the boundary between the community of Aunobari and a private individual named Iulius Regulus. On the question of North African "reservations," see further the catalog entry for Instance 89.

¹¹ Burton 2000, 205 n. 43.

¹² Burton 2000, 205 n. 43.

But the promise of this approach is blunted by a decision not to distinguish in the appendix between evidence that attests to disputes and evidence that does not.¹³ All the texts (mostly epigraphic, some literary) are summarized in three tables whose rationale of division is somewhat obscure. All three characterize their content as "adjudications," even though closer examination of the documents in question reveals that many of them actually present no clear proof of having been occasioned by a boundary dispute. Burton is not alone in suffering from this lack of precision in classification. It is common for scholars to refer to any attested demarcation as a "settlement" or an "adjudication." It does not seem unreasonable to imagine that we can do better.

It should be clear, both from the nature of published work on this topic and from the shortcomings evident in a work produced by such a talented scholar as G. Burton, that a new foundation needs to be laid for the study of boundary disputes and boundary demarcation during the Roman empire. In their current state - spread across hundreds of specialist publications and often presented in the most accessible of them without sufficient contextual information – the majority of these documents are difficult of access. Each presents a host of problems (philological, topographic, historical), unique to its own place of origin, circumstance of creation and condition of survival. The time and effort necessary to get and review all, or even a significant portion, of this material precludes careful study by all but the most dedicated of scholars who also have access to one of the few library collections in the world capable of supporting such a wide-ranging survey. When we add the difficulties of language to the equation, we also realize the exclusion of almost all cultural geographers and political scientists from consideration of these materials. Both of these scholarly communities have well-established literatures on the subject of boundary demarcation and dispute resolution, yet they are unable to properly consider these issues at all with respect to the Roman empire, which must be one of the few suitable pre-modern societies for this purpose. It is absurd to expect that each scholar interested in this topic must be expected to work from nothing more than a citation handlist.

This dissertation, then, aims to bring the epigraphic materials for the study of Roman boundary disputes to a wider scholarly audience. This goal is accomplished through the presentation of all published epigraphic evidence for authoritative demarcations, by the analysis of that evidence in an effort to establish criteria for classification and evaluation, and by an exploration of the Roman administrative personnel whose involvement is reflected in those

¹³ A number of other shortcomings – if we were to take Burton's list as a starting point for further research – are evident: editions cited are not always the best or most recent, sometimes only some of the documents relevant to a given incident are cited, many epigraphically-attested authoritative demarcations do not appear at all, and the short descriptions of some incidents are sometimes incorrect.

documents that can be shown to derive from disputes. Each of the three sections of the dissertation accomplishes one of these goals.

Chapter 1 lays out criteria for the categorization of the evidence on the basis of technical vocabulary in both Latin and Greek that corresponds to both technical and legal aspects of boundary demarcation. At the core of this analysis is an important bilingual document from Delphi that records three versions (each in Latin and Greek copies) of verdicts rendered by a Roman official in legal cases involving the boundaries of Delphi's sacred lands. Equipped, through examination of this dossier, with a better understanding of the language of boundary dispute resolution, the chapter turns to a consideration of the other epigraphic evidence, establishing criteria for its categorization.

Chapter 2 takes advantage of these categories by concentrating only on the evidence that can be shown to derive from boundary disputes (as opposed to other administrative demarcations). In particular, the roles and responsibilities of Roman administrative personnel are considered. It emerges that the Roman administration does indeed seem to have reserved for itself the resolution of disputes, a central conclusion of Burton 2000. We can go further, however, to observe that the Roman administrative response to boundary disputes between cities was always characterized as judicial, and borrowed heavily in both terminology and practice from the Roman private law. Such disputes were handled at the lowest possible level (the governor), rising to the emperor's level only when the characteristics of the case made it impractical or inappropriate for a single governor to take action within the scope of his own jurisdiction, or when (exceptionally) the emperor's presence in a province attracted cases to his person that otherwise would have been handled by the governor. ¹⁴ The evidence clearly indicates that a governor could use one of two possible methods in hearing such cases: hearing the case himself and rendering a verdict (often after consulting his consilium), or delegating resolution of the case to one or more appointed iudices. Even those cases that made their way to the emperor were routinely delegated back to governors or to special commissioners (often imperial legates) whose job was to act as judge in resolving the case. The practical necessities of boundary adjudication, which often required extended presence on-site to examine the terrain and any existing boundary indicia, demanded an approach of this nature. A requirement of the private law, apparently observed in the public sphere as well, demanded that the judge (emperor, governor, legate or appointed *iudex*) deliver his verdict on the boundary in question in the presence of all parties to the case. Users of this chapter, and of the Evidentiary Catalog that follows, should find the Prosopographical Index to be of value.

¹⁴ Hadrian's reign provides a probable example of this type: Instance 43.

The Evidentiary Catalog, which constitutes the bulk of the dissertation, presents all of the evidence I have identified. The documents are grouped according to the major categories established in Chapter 1, and then presented chronologically within each group. I have taken the further step of grouping together documents that are related to each other, and this has given me the opportunity to produce full lists of some important epigraphic assemblages (published piecemeal over the years) that are nowhere available for scholarly reference. ¹⁵ Entries in the catalog generally include a date, an indication of the corresponding number assigned by Burton, ¹⁶ a commentary, a text of each unique document, and an English translation. The catalog is not meant to be a proper epigraphic corpus, and so a number of essential features are missing: complete genetic lemmata of the relevant bibliography, squeezes and sketchbooks; museum inventory numbers; line-by-line apparatus recording variant readings and supplements; and complete bibliographic references, for example. To include these aspects would have required several more years of work, including much travel. Instead, I have tried to produce a critical source-book with commentary. I have aimed to cite the most useful editions (including the standard annual reviews), and only those works that I have had the opportunity to examine firsthand. I have tried to regularize the epigraphic conventions used in the presentation of texts, and have generally omitted to transcribe subscript dots as their use varies widely from editor to editor.¹⁷ In the list of citations accompanying each document, an asterisk marks those editions from which I have transcribed the text presented in the catalog. I have included literary passages where they bear directly on incidents documented by the epigraphy. I have also included two entries that correspond to disputes attested only by the historian Josephus, both because Burton included them in his catalog and because they are particularly enlightening for some of the issues raised by the epigraphical documents.¹⁸

It is my hope that this dissertation will both prompt and facilitate future work by a widening number of scholars, including those with contributions to make from outside the traditional fields

number of scholars, including those with contributions to make from outside the traditional fields

¹⁵ These mini-catalogs include the extensive array of boundary markers from *Cirta* (mod. Constantine in Algeria, Instance 81) and *Cyrenaica* (Instance 62). I have also had the opportunity to re-present a number of assemblages that have been studied extensively, but for which there has been no comprehensive summarization in light of this work. For example, the difficult Coronean civic archive (Instance 43) and the inscriptions relating to the public lands of Artemis at Ephesus (Instance 61). I have also been able to present as a coherent group a number of assemblages that Burton unaccountably split into individual entries, such as the two successive demarcations (involving multiple neighboring communities) of the territory of the *Musulamii*, whose territory lay in the area of *Ammaedara* (mod. Haidra in Tunisia) and *Theveste* (mod. Tébessa in Algeria).

¹⁶ These also appear in the Concordance of Editions.

¹⁷ I follow the conventions laid out in Krummrey 1980.

¹⁸ Instances 11 and 14.

of classics and ancient history. It has been possible to address only a few of the interesting questions raised by these materials. To make a comprehensive treatment of all relevant questions would require another study, perhaps as long as this one. It is better to make a temporary end to the process now by placing these documents, organized in this way, at the disposal of others. I am particularly happy to be doing so while making a contribution to the methodology of their study: the categorization criteria established in Chapter 1. The introduction of more rigor into the analysis of these materials cannot fail to improve results and sharpen debate.

Limitations

Beyond the limitations outlined for the evidentiary catalog above, certain other decisions about content and presentation will assist those who consult this work.

I have only recently become aware of Pikoulas 1998 and Pikoulas 1999. Both articles contain excellent overviews and bibliographic lists (but no texts) for epigraphically attested boundary demarcations relating to the Peloponnese (nos. 1-19 and 01-07 + 09 are pre-imperial; nos. 20 and 08 are imperial) and ancient *Macedonia* (nos. 1-3 + 01-03 are pre- imperial; nos. 4-14 are imperial). The citations include much bibliography, both Greek and otherwise, that Burton, Campbell and I have missed. Consistent with my policy of including only those citations I have personally inspected, this bibliography is not included in the catalog; however, I have collated both lists against the catalog and have added a citation to the appropriate numbered entry in each of Pikoulas' articles for each relevant document.

Similarly, Dignas 2002 arrived too late to be incorporated. It should be consulted by anyone interested in the restoration of temple lands by the emperors.¹⁹

I have not treated the large number of boundary markers associated with the Diocletianic tax reform of AD 297. Nearly 40 of these markers have so far been published. They record the demarcation, by *censitores*, of territorial, village and field boundaries in the provinces of *Syria Coele*, *Syria Phoenice*, *Syria Palaestina* and *Arabia*. See Millar 1993, 193-198 and Apdx. A (535-544) for a summary catalog and discussion. None of them shows any sign of boundary disputes.

The cadastral documents from *Arausio* (mod. Orange in France) are also not treated here. Ably and completely presented by Piganiol 1962, these elements of three separate centurial maps of the colony's territory require their own, special treatment. They are of interest in the context of

¹⁹ E.g., Instances 61, 39 and 68.

imperial engagement with the restoration of public and sacred lands, an activity that I believe needs its own significant study.²⁰

A fragmentary bronze plaque discovered near modern Fuentes de Ropel in Spain (area of Zamora) has also been omitted because it cannot be dated with certainty to the empire, and because the role of Roman officials cannot be demonstrated.²¹ It is clear that the surviving bronze preserves the partial Latin text of a *determinatio*. The surviving portion may, on the reconstruction of the editors, have been appended to a verdict, although none of the diagnostic terminology survives. The *determinatio* also preserves a number of placenames (*Burriligia*, *Voligobend[...]*, *Cillobenda*, *Vagabrobenda*, *Gadarnauregium*, *Cauldobenda*, *Seguisonal[...]*) and possibly a cognomen: [... Fr]ontonem.

²⁰ See comments on page 34.

²¹ AE 1993.1035 = Garcia Rozas 1993, 179-181 and 193.

This page intentionally left blank.

CHAPTER 2

CLASSIFICATION OF EVIDENCE

An understanding of the boundaries that separated the provinces, cities, peoples and private landholdings of the Roman empire is fundamental to a wide range of historical questions concerning economy, administration, law and society. This fundamental importance is frequently invoked by scholars whose work addresses boundaries directly. Boundaries, the areas they demarcated, and the circumstances and effects of their alteration likewise make frequent appearances as evidence, comparanda or contextual asides in a wide range of scholarly literature. In all these contexts, scholars exercise great latitude in the words they choose to refer to boundary-related events. It emerges from a close consideration of the evidence as published in modern works, such as that undertaken for this dissertation, that many modern writers freely use words like "settlement," "adjudication," "arbitration," "demarcation" and even "boundary dispute" to refer to a variety of different types of events (e.g., the marking of a boundary, the transfer of territorial control of an area from one community to another, the judicial resolution of a property-related legal case). This lack of precision, which sometimes shifts even in the course of a single journal article, reveals an urgent need: a rigorous taxonomy of surviving boundaryrelated evidence, sensitive to the distinctions of language, procedure and administrative context adopted by the Romans themselves. This chapter, which focuses primarily on establishing criteria for unambiguously identifying disputes about boundaries (as distinct from other types of disputes and as distinct from other types of boundary-related activities), represents the essential first step in this direction.

Using vocabulary to identify boundary disputes

It is easy to classify documents that make explicit reference to a dispute (controversia = ἀμφισβητήσις) regarding boundaries (finium or $de\ finibus = \pi \epsilon \rho i \tau \hat{\omega} \nu \, \delta \rho \omega \nu$). If such texts are of sufficient length, they generally provide additional information concerning the circumstances, procedures and vocabulary associated with the dispute. On the basis of these few explicit documents, we can build an understanding of the technical terminology of boundary disputes, which can then be used to evaluate the relevance of other, less explicit documents. Of critical importance are the Roman technical terms for boundary demarcation, and for the pronouncements and acts of imperial officials (e.g., edicts, verdicts and the like). The only published work that attempts a comprehensive overview of the Greek terminology for these matters is a useful starting

point, but it does not include some of the important terms that emerge from an examination of the boundary-related evidence.²² It also emerges that greater precision in some cases can be obtained.

Starting point: the bilingual verdicts of C. Avidius Nigrinus (Delphi)

The verdicts of C. Avidius Nigrinus in three disputes involving *Delphi's* sacred lands provide an important key for developing a diagnostic technical vocabulary for boundary disputes. ²³ Not only are all three verdicts presented in parallel Latin and Greek versions, but all three are also indubitably concerned with boundary disputes. Two of the Latin documents employ the telltale phrase *controversia de finibus*, and their Greek translations are similarly unambiguous: αμφιοβήτησις περὶ τῶν ὅρων. It is also clear from its content that the third document pair deals with a boundary dispute, though the diagnostic phrase is not employed. The bilingual nature of this dossier, combined with its indisputable connection to boundary disputes, makes it particularly valuable, affording us the opportunity to examine the rest of the terminology in both Greek and Latin. The distinctive terminology employed in the Nigrinus dossier is laid out in Table 1 and discussed in the following paragraphs.

Perhaps the most notable aspect of these documents is Nigrinus' care to characterize his activities as judicial, rather than simply administrative. He describes himself as a judge, appointed by the emperor (*iudex datus ab optimo principe* = κριτής ἐδόθην ὑπὸ τοῦ μεγίστου [αὐτοκράτορος ...]).²⁵ This language is not merely judicial in a generic sense, but explicitly evokes a particular procedure of Roman civil law. The formulary procedure enabled the presiding magistrate (the praetor at Rome or the governor in the provinces) to appoint a private individual to try a case. This appointed judge (*iudex datus*) delivered a verdict in accordance with the formulaic definition of the relevant legal issues that had been prepared by the magistrate during the first phase of the proceedings.²⁶

²² Mason 1974, esp. 126-132. There have also been two recent studies on the vocabulary of boundary demarcation in Greek, both from the perspective of historical linguistics: Casevitz 1993 and Gschnitzer 1994. Neither one considers in detail the relationship between Greek and Latin terminology, nor the associated use of judicial terminology.

²³ Instance 39. In the discussion that follows, words and phrases quoted in the original language are presented in the nominative case unless the testimony is fragmentary or otherwise difficult, in which case the exact spelling of the original text is provided, complete with editorial sigla as appropriate.

²⁴ It should be noted that significant portions of both the Latin and the Greek formulae are fragmentary in Text 39.1 and Text 39.2, but fully extant in both Text 39.3 and Text 39.4.

²⁵ Text 39.5 (Latin) and Text 39.6 (Greek).

²⁶ The use of appointed judges is discussed beginning on page 44. Special imperial legates like Nigrinus seem to have been employed primarily to deal with disputes that involved *civitates liberae* (or communities with other special status or stature like *Delphi*) or when a dispute involved parties who were

In keeping with the judicial context, Nigrinus' decisions (as well as those delivered earlier by Cassius Longinus and the hieromnemones and cited here by Nigrinus) are all characterized as verdicts, but more than one term is used. Nigrinus uses *sententia* and *iudicium* interchangeably in this regard. In Text 39.5 the verdict of the hieromnemones is twice invoked as a *sententia* and once as a *iudicium*. In Text 39.3 it is a *iudicium*. *Decreta* seem to be the province of Roman officials, for only the verdicts of Nigrinus and Longinus are so named.²⁷ But the division does not seem to apply in reverse: in Text 39.5 Nigrinus refers to his own verdict once as a *decretum* and once as a *sententia* (line 11). The Greek equivalents are less easy to assess because the texts are fragmentary at the relevant points. In the preserved portions – only Text 39.4, the translation of Text 39.3, is helpful here – $\alpha \pi \delta \phi \alpha \sigma \iota \zeta$ is used to translate *decretum* and κρίσις is used for both *sententia* and *iudicium*.²⁸

The terminological variation for "verdict" evident in the Nigrinus dossier is present also in a passage from Tacitus' *Annals* (Text 10.1). In a very brief section, Tacitus summarizes the arguments of opposing Spartan and Messenian delegations, both arguing for control of the sanctuary of Artemis Limnatis in the *ager Denthaliatis*. This summary cites six different verdicts dating back to the fourth century BC. The verdicts of Roman officials are variously described as *sententiae* and *iudicia*. A Roman governor is said to have "issued a verdict" (*decrevisse*) in the case. None of these verdicts is reproduced in Tacitus' text.

One other distinctively Roman institution is evident in Nigrinus' verdicts: the consultation by the legate of his advisory council (*consilium*). All of the documents break off before the end, but enough is preserved of Text 39.1 to discern the phrase *in co[nsilio adfue]runt* (fully preserved as ἐν συμβουλίφ ἐγένοντο in its Greek counterpart Text 39.2), followed by a partial list of names. A

not all under the same provincial jurisdiction; e.g., when a civic territorial boundary coincided with a provincial boundary (Aichinger 1982). That these legates could see the process as analogous to or even derivative of private law is evident from Nigrinus' vocabulary. Further discussion of judges appointed by the emperor begins on page 56.

²⁷ This tight definition (*decretum* = verdict) cannot be regarded as a universal rule. For example, boundary markers on Crete were placed in AD 84 between a private citizen of *Cnossus* and the holdings of *Capua* (sic) in accordance with a **verdict** of the emperor Titus and a **decree** of *Capua*: [ex] senten(tia) Titi Imp(eratoris) Aug(usti) item / [sec]undum decretum col(oniae) Cap(uae). See Instance 27. It is therefore necessary to remain alert for variations in vocabulary that reflect variatio (as here) or considerations of style.

²⁸ Decretum was the normal term for the verdict that was delivered verbally at the end of a case. The Greek ἐπίκριμα is usually cited as the equivalent (primarily on the basis of papyrological evidence), but it does not occur in any of the boundary dispute documents collected here. See Millar 1992, 238-240 for discussion of decreta and additional literature. Mason 1974, 130 does not address the role of variatio in the selection of terminology for verdicts. He introduces the word sententia as "less precise than the decretum ... the 'point of view' on an issue," but in the Nigrinus dossier, sententia clearly is a synonym for both and decretum, as well as the other words we have discussed.

Latin fragment, normally assigned to the end of Text 39.5, preserves an even smaller partial list that appears to contain the same names as those appearing in Text 39.1, but the prefatory phrase is lost. This would seem to confirm that the same advisors served Nigrinus in both cases: a standing advisory council.

Nigrinus' verdicts are also replete with the technical terminology of boundaries and boundary demarcation. The Text 39.1 - 39.2 pair probably names a surveyor ([...men]sorem = [... γεωμετρητή]ν) and discusses the documented boundary survey (determinatio = ἀφορισμός and ὁροθέσια) he prepared in support of the earlier case settled by Longinus. The Text 39.3 - 39.4 pair also discusses a determinatio (ἀφορισμός) made by the hieromnemones and then presents the contents of that determinatio together with Nigrinus' explanatory notes on its interpretation. Before the extant text breaks off incomplete, the Latin version of the annotated determinatio cites boundaries (fines) and a boundary marker (ter[minum]).

The Text 39.5 - 39.6 pair also mentions and reiterates a *determinatio* (more fully described in the Greek as a περιορισμός τῆς ἱερᾶς χ[ώρας ...]). The basic concept of land ownership (*possessio* = ἡ κτῆσις) is addressed³⁰ and, in the *determinatio* itself, boundary markers and boundaries are cited. Straight survey lines (*recti rigores*) also make an appearance, linking reference points in the boundary description.³¹

²⁹ This construction is mirrored in other Greek boundary documents, for example the markers separating an imperial estate from the territory of *Sagalassos* (Instance 79).

³⁰ Nigrinus uses the Latin *possessio* twice in Text 39.5 (lines 7 and 13). In the second case, it is clearly equated with $\kappa \tau \hat{\eta} \sigma \iota \zeta$ in line 11 of Text 39.6, but in the first the corresponding section of the Greek is fragmentary and difficult to supplement.

³¹ Lines 16-17 of Text 39.5, the corresponding Greek in Text 39.6 being lost. The formulation *rigor rectus* does not occur (in any case or word order) in extant Latin literature, yet its use in inscribed boundary descriptions is not uncommon, for example: Instance 60 (a fragmentary verdict in a dispute from Italy) and on cippi marking the bed and banks of the Tiber (see note 125 for references). Context here makes it clear that the definition is the same as that offered for the word *rigor* in Balbus' *Expositio et ratio omnium formarum:* "There are two types of boundary, one that is recognized by means of a *rigor*, the other by a curving line (*flexus*). A *rigor* is whatever is seen to stretch straight between two points in the form of a line. ... Whatever occurs on land as part of the work of measuring to establish a straight boundary, is called a

Taken in aggregate, the technical terminology present in Nigrinus' verdicts (both judicial and boundary-related) provides a basis for evaluating other documents and determining the degree to which they may be confidently interpreted as testimony of boundary disputes.

rigor. Whatever is drawn on a map to represent this, is called a line" (Translation: Campbell 2000, 209 Il. 5-13) = extremitatium genera sunt duo, unum quod per rigorem obseruatur, alterum quod per flexus. rigor est quidquid inter duo signa ueluti in modum lineae rectum perspicitur ... nam quidquid in agro mensorii operis causa ad finem rectum fuerit, rigor appellatur: quidquid ad horum imitationem in forma scribitur, linea appellatur. The redundancy inherent in the phrase recto rigore may indicate that the word rigor was sometimes used in a more general sense, as in CIL 3.3163 = Wilkes 1974, 268 no. 27, where it seems to mean more generally "path," for a river cannot have been straight enough to comply with Balbus' definition: [Fi]nis [i]n/ter Seium / Severinum / (centurionem) coh(ortis) VIII / Vol(untariorum) et Bad/bid(ium) Titia/num rigo/re rivi.

Table 1: Distinctive Terminology Drawn from the Nigrinus dossier:³²

Judicial terminology				
Latin	Greek	English	Documents	
controversia • de finibus	ή ἀμφισβήτησις • περὶ τῶν ὅρων	dispute (concerning boundaries)	39.1, 39.3 = 39.4, 39.5 = (39.6)	
decretum	ή ἀπόφασις	verdict (of a Roman judge or magistrate)	39.3 = 39.4	
• decreta ex tabellis recitata	 ἐκ τῶ[ν πινά]κων μετειλλημμέναι 	read out from the tablets	(39.2), 39.5	
sententia	ή κρίσις	verdict more generally; can be applied to a verdict also described as a <i>decretum</i> or to a verdict rendered by a non-Roman judge (prior to the imperial period)	39.5 = (39.6)	
iudicium			39.3 = 39.4	
consilium		advisory council (of a Roman official)	(39.1) = 39.2	
• in co[nsilio adfue]runt	• ἐν συμβουλίῳ ἐγένοντο	(the following individuals) were in the advisory council		
	έ]κ τῆς ἐπιστολῆ[ς]	according to the letter	(39.2)	
cognoscere me iussit	ἐκέλευσέν με κρεῖναι	(he) ordered me to judge	39.3 = 39.4	
iudex datus ab + abl.	κριτής ἐδόθην ὑπὸ + gen.	judge appointed by	39.5 = 39.6	

³² Blank sections in the table represent cases where the extant portions of the Nigrinus dossier do not provide a parallel in one or the other language. Bullets indicate distinctive phrases that employ the preceding technical term. If the testimony of a particular document is fragmentary, then it is listed in parentheses. For the bilingual documents in the Nigrinus dossier, when a Greek term is used for a Latin term the corresponding documents are shown related by an equality sign (=).

Boundary-related terminology				
Latin	Greek	English	Documents	
determinatio	ὁ ἀφορισμός	boundary determination or description (written)	39.3 = 39.4, 39.5 = (39.6)	
	ή ὁροθέσια		39.1 = 39.2	
	ό περιορισμός τῆς χ[ώρας		39.5 = (39.6)	
[men]sor		surveyor	39.1	
demonstratio	ή τῶν τόπων αὐτοψία	on-site examination of places; a visual demonstration of the path of the boundary	39.3 = 39.4	
	ή ὑφήγησις			
terminus	őρος	boundary marker	throughout	
fines	őρος	boundary]	
	τὸ μέρος	the part (or area) of land	39.4	
rigor		straight-line boundary	39.5	
• recto rigore		in a straight line		
vocabula regionum	αἳ ὀνομασίαι τῶν τόπων	place names	39.5 = 39.6	

Other extant verdicts in boundary disputes

We have very few other extant verdicts in boundary disputes with which to compare the content and usage of the Nigrinus dossier, but in those cases where we do, the distinctive combination of judicial and boundary-technical language appears to be just as strong. Given the usage demonstrated in the Nigrinus dossier, it is appropriate to accept, as a verdict, any document that purports to record the text of a *decretum*, *sententia*, *iudicium*, $\alpha \pi \delta \phi \alpha \sigma \iota \zeta$ or $\kappa \rho \delta \sigma \iota \zeta$. Careful attention to the use of boundary-related terms – and the relation they seem to have borne to the nature of each dispute – permits us to figure out which ones really came from boundary disputes.

Decreta

The document most comparable to those in the Nigrinus dossier is the verdict delivered by Q. Gellius Sentius Augurinus in a dispute between the Thessalian communities of *Lamia* and *Hypata*.³³ The formula employed is virtually identical to that employed by Nigrinus. The verdicts,

_

³³ Instance 38.

expressed here with the plural *decreta*, in these boundary disputes (*controversiae finium*) are recited from the tablets (*ex tabellis recitata*). Augurinus need not refer to himself as the emperor's *iudex* because he is the proconsul of the province, whereas Nigrinus appears to have been a special legate of the emperor and therefore needed to make an explicit statement of his authority in the case. ³⁴ Just like Nigrinus, Augurinus emphasizes his personal involvement in the case over an extended period of days and explicitly consults a surveyor (*mensor*). The verdict includes a fragmentary boundary description (*determinatio*) that employs some of the same technical terms found in Nigrinus' *determinationes* from *Delphi* (e.g., *rigor*).

A similar mixture of Latin judicial and boundary-related terminology is employed in an undated, fragmentary boundary settlement from *Thyateira*, but the text is too badly damaged for us to be certain whether it characterized itself as a *decretum*. It certainly mentions a *decretum*, and seems to include a *determinatio*.³⁵

The important and extensive inscribed legal dossier relating to territorial rights of *Histria* contains a verdict and *determinatio* of the provincial governor in the city's dispute with a tax collector about the extent of their rights to certain revenues from fish production. Unfortunately, the dossier is fragmentary in both extant copies at the critical point: we do not know what Latin word the governor used to refer to his verdict.³⁶

Two other extant verdicts are worthy of our attention, although in the strict classification system employed here, they can only be termed "possible boundary disputes." The first is attested by a fragmentary inscription from the area of *Tarraco* (mod. Tarragona in Spain) and records a verdict (*decretum*) of Pertinax's provincial governor L. Novius Rufus in some kind of case between one Valeria Faventina and 'the villagers at the *rivus Larensis*.' Like the *decreta* of Nigrinus and Augurinus, this certified copy purports to record the verdict verbatim as 'read out from the tablets' (*ex tilia recitavit*). We learn that both parties presented their arguments and that something was inspected, but the text breaks off before we can learn the details of the matter. We cannot say with certainty that this verdict represents a boundary dispute, but what remains of it is

³⁴ Augurinus does indicate that the emperor had written to him that, "once surveyors had been consulted concerning the boundary disputes ... and the case had been investigated, that [he] should make a boundary demarcation." Hadrian's letter (not extant) was either a rescript, responding to a question raised by the governor, or a delegation of the case back to its proper jurisdiction, the matter having been brought to Hadrian's attention by one of the communities in question. See the commentary of Instance 38. For further discussion of roles and responsibilities, see Chapter 2.

³⁵ Instance 57.

³⁶ Instance 16. The relevant document is Text 16.7.

³⁷ Instance 50.

not inconsistent with the genre. Regardless of the substance of the dispute, this document does confirm one conclusion we drew from the Nigrinus dossier: the interchangeability of the words *decretum* and *sententia*, both of which are used in the introductory portion of the text to describe the verdict that follows.

The second such verdict (*decretum*) survives on an inscription found at the site of ancient *Aunobari* in Tunisia.³⁸ Like Rufus' verdict near *Tarraco*, this document addresses a legal case between an unknown individual and a community (*acta inter Iulium Regillum et Aunobaritanos causa*) and records the terse decision of an otherwise unknown second-century proconsul named Marcellus. He ruled that an earlier verdict (*decretum*) of the proconsul C. Iulius Cornutus Tertullus should remain unchanged (this earlier verdict is only cited, so its details remain lost to us). Marcellus also makes a point of having consulted his advisory board (*Marcellus proco(n)s(ul) collocutus cum consilio*). It may be his *consilium* in this case whose members are listed on another inscribed fragment from the same site in a similar hand.³⁹

The actual words of Marcellus' verdict are preceded by a phrase already familiar to us from the Nigrinus dossier and the other verdicts examined above: "he recited his verdict from the tablets" (*decretum ex tabella recitavit*). In this instance, the formulaic preamble is preceded by another introductory clause in which the verdict is said to have been "publicly pronounced" (*pronuntiasse*). This verb, although not used by Nigrinus, seems also to denote the formal process whereby a Roman magistrate (including the emperor) read out his verdict publicly. Domitian uses it in what is clearly a verdict in a dispute over *subseciva* between the *Falerienses* and the *Firmani*. Claudius uses it in his edict concerning the affairs of the *Comenses* and *Bergalei*, authorizing his *amicus* Iulius Planta to "settle and pronounce a verdict" (*statuat pronuntietque*) in certain aspects of the dispute.

This understanding of the verb *pronuntio* allows us to introduce one more text into our discussion of extant boundary dispute verdicts. A decision of the proconsul of *Sardinia* (AD 69) lacks both the diagnostic phrase *controversia finium* and any of the terms Nigrinus used to

³⁸ Instance 41.

³⁹ Text 41.2.

⁴⁰ Paulus uses the verb to describe the process whereby an emperor delivered a verdict in a case. See Millar 1992, 238-239, with references in the *Digest*.

⁴¹ Instance 69. Not strictly a boundary dispute, since it appears that the issue was *possessio* of the *subseciva*, not their boundaries or locations.

⁴² Instance 15. Claudius' edict is not explicit as to whether a boundary dispute was involved in this complicated case either, but it is clear that some disputes over land were involved.

describe a verdict, but its form and purpose are similar enough to identify it as a verdict stemming from a boundary dispute. ⁴³ Copied from L. Helvius Agrippa's journal of record (*ex codice ansato*) it records his pronouncement (*pronuntiavit*) that "the *Galillenses* [should] withdraw from within the boundaries of the *Patulcenses Campani*, which they [had] occupied by force." In so doing, he reiterates the verdict (*decretum*) of an earlier governor that "the boundaries of the *Patulcenses* were to remain just as they had been arranged on a bronze tablet" at an earlier date.

Άποφάσεις

There is only one surviving Greek document that calls itself an *apophasis* and deals with a boundary dispute. Discovered in the late 19^{th} century, this inscription from the area of *Daulis* records the verdict of a "judge and boundary-setter appointed by the proconsul" (ὁ δοθεὶς κριτὴς καὶ ὁριστὴς ὑπὸ Κα<σί>ο<υ Μαξίμου ἀ>νθυπάτου).⁴⁴

The emperor Antoninus Pius uses the word *apophasis* to refer to his own verdict (not extant) in the boundary dispute between *Coronea* and *Thisbe*.⁴⁵

sententiae

Apart from Rufus' verdict, mentioned above, ⁴⁶ we have two other surviving verdicts in which the word *sententia* is used rather than *decretum*. One of these was issued in a boundary dispute between the city of *Histonium* (mod. Vasto, on Italy's Adriatic coast) and a private landowner. This case was handled privately by binding arbitration in the latter half of the first century, and it is the arbiter's verdict that is thus described.⁴⁷

The only other extant Latin verdict to call itself a *sententia*, rather than a *decretum*, is the badly damaged Nettuno inscription, issued by an unknown *iudex* in a complicated case between the city of *Ostia* and a private party involving disputed boundaries and contested ownership, arising from an invalid will.⁴⁸

⁴³ Instance 22.

⁴⁴ Instance 42.

⁴⁵ Text 43.9.

⁴⁶ Instance 50.

⁴⁷ Instance 24.

⁴⁸ Instance 60.

iudicia

Apart from those issued by Nigrinus, there are no extant boundary dispute verdicts of the imperial era that refer to themselves as *iudicia*. ⁴⁹ The word *iudicium* is used to refer to verdicts that do not survive in only two relevant texts. The first is a brief summary, recorded by Tacitus, of the arguments in a dispute over territorial rights between *Sparta* and *Messene*. ⁵⁰ The second records the verdict – or decision – of Septimius Severus and his sons in restoring the Augustanera boundaries and immunity of the *Thudedenses*, a people living southeast of *Tipasa* in modern Algeria. ⁵¹

κρίσεις

Apart from the Greek texts preserved in the Nigrinus dossier, there are no extant verdicts of the imperial period that refer to themselves as $\kappa\rho$ íσεις. Three other texts do use this word to refer to verdicts in boundary dispute cases.

A letter to the people of *Thasos* from a procuratorial governor of Thrace under the Flavians uses the verb κρίνω to describe the actions of an earlier individual, who was possibly a *iudex* datus in a boundary dispute (the things that he judged = å δὲ Λούκιος ἀντώνιος ... κέκρικε). ⁵² The referenced verdict is not extant.

Josephus uses the word in narrating a boundary dispute in *Iudaea* in which one of the parties resorted to violence rather than seeking the adjudication of the governor.⁵³

Other verdicts

A letter from the governor of Thrace to the city of Thasos somewhat cryptically uses the verb δικαιοδοτέω to indicate that he has rendered a verdict in a legal matter involving "the colony"

⁴⁹ Both *iudicium* and *sententia* appear in the Republican-era *tabula Contrebiensis*. It records the delegation, by the proconsul C. Valerius Flaccus, of a case between two Celtiberian communities to the Senate of *Contrebia* (on and around the mod. hill called Cabezo de las Minas outside the village of Botorrita in Spain), together with the resulting verdict. This extraordinary document dates to 87 BC: EDH HD000668 = AE 1984.586.

⁵⁰ Text 10.1, and see above, p. 13.

⁵¹ Instance 75.

⁵² Instance 18.

⁵³ Instance 14.

(presumably the nearby Philippi).⁵⁴ The content of the verdict is obscure (although it may involve boundaries), and this verb does not recur again in our evidence.

Letters: epistulae and ἐπιστολαί

Students of the Roman empire are well aware of the degree to which written communications in the form of letters facilitated the processes of governance and provincial administration. In introducing his discussion of letters written by emperors, which carried the force of law, Fergus Millar summarizes the origin of the practice:

Both the earliest literary references to letters written to cities by Roman magistrates and pro-magistrates and the earliest inscribed examples of them belong to the early second century BC, when Rome first became essentially involved in the Hellenistic world. The custom whereby ambassadors from a city would appear before a king, accompany their presentation of a decree (psêphisma) of the city with a suitable speech, hear his answer and expect a letter to the city in reply, was immediately applied not only to the Senate in Rome but also to individual generals in the field.⁵⁵

It is equally clear from the epigraphic record that this practice continued, not just for the emperor, but for provincial governors as well. Where boundary disputes are concerned, the extant sources include a number of relevant letters from emperors, governors and *iudices dati*. Letters from cities to governors also survive. Finally, a number of other documents make reference to all four types of letters, even though some of these are not extant. The suite of these four types (letters from emperors, letters from governors, letters from *iudices dati*, and letters to governors) is summarized in the following sections.

Letters from emperors

Only four extant letters of Roman emperors can be securely associated with boundary disputes. To these may be added one imperial rescript.⁵⁶

Three of these letters derive from the so-called 'archive wall' at *Coronea*. ⁵⁷ They all concern a single, protracted dispute between *Coronea* and *Thisbe*. At issue were pasturage rights and boundaries in a high plain on the slopes of Mt. Helikon. The earliest of these letters (from

⁵⁵ Millar 1992, 213. For the legal force of the emperor's correspondence, see Millar 1992, 203-206, which includes sources. For a canonical example of this process and vocabulary, see Text 43.6, which directly relates to a boundary dispute.

⁵⁴ Instance 18.

⁵⁶ But see note 64 for a fragmentary letter sometimes thought to have been sent by an emperor. The epigraphic record also preserves at least one set of boundary markers that were placed as a result of an imperial letter, for which see page 29, below.

⁵⁷ Instance 43.

Hadrian) is addressed to *Thisbe* and confronts their abrogation of an earlier verdict rendered by a judge whom the emperor had appointed.⁵⁸ The dispute (and failures to comply with verdicts) continued into the reign of Antoninus, prompting two further letters from him. The first confirms Hadrian's decisions and reiterates delegation of the affair to the same judge.⁵⁹ The second addresses allegations of both parties that the other side was responsible for frustrating the settlement and the execution of an associated survey.⁶⁰ Antoninus informs the *Coroneans* that he has delegated the investigation of those charges to the proconsul.⁶¹

The only other surviving imperial letter relating to a boundary dispute dates to AD 77. In it, the emperor Vespasian informs the *Vanacini*, in response to their petition, that he had delegated resolution of their boundary dispute (*controversia finium*) with the Roman colony of *Mariana* to the procuratorial governor and had sent a surveyor (*mensor*) to provide expert assistance.⁶²

Together with the sparse epigraphic testimony for imperial letters addressing boundary disputes we should consider a relevant rescript of the emperor Hadrian, addressed to one Terentius Gentianus. The rescript (preserved in two separate sources) outlines penalties for the crime of moving a boundary marker (*terminus motus*), stipulating that both the rank of the individual and their intent should have a bearing on the severity of the penalty. It is not completely clear what office Gentianus was discharging at the time, ⁶³ but the guidance appears to have been subsequently taken to have broad application. Ulpian had recorded it in his *de officio proconsulis* (whence the *Collatio's* copy), and the *Digest* attributes its version to the third book of Callistratus' *de cognitionibus*.

⁵⁸ Text 43.7.

⁵⁹ Text 43.9.

⁶⁰ Text 43.6.

Two other letters from the Coronean archive wall may also involve boundaries (they clearly address disputes), but they provide insufficient information for us to be certain. One of these – a fragmentary letter from an unknown emperor (possibly Hadrian) – probably involved land and/or boundaries between *Coronea* and *Orchomenos* (Text 43.4). It delegates resolution of disputes over associated pasturage fees to the proconsul. The other is a complete letter of Hadrian in response to a Coronean embassy, which informs them that he has delegated the resolution of unspecified matters "at the river *Phaleros*" to his *amicus* L. Aemilius Iuncus (Text 43.5).

⁶² Instance 25.

⁶³ See references listed in Prosopographical Index.

Letters from Governors

We have six different letters from governors that relate to boundary disputes. ⁶⁴ Five of these derive from a single dossier: the famous horothesia of *Histria*. ⁶⁵ These letters were sent by four successive governors of *Moesia* (*Inferior*) in the second half of the first century AD. They responded to petitioning delegations from the city of *Histria*, each letter confirming the Histrians' claim to ancestral rights involving fishing and other activities at the mouth of the Danube river. The letters were assembled and presented as evidence in a lawsuit brought against the city by a tax contractor.

The one letter from a governor that does not derive from the Histrian dossier stelae dates to Vespasian's reign. 66 It is clearly also in response to a number of concerns raised, in this case, by the people of *Thasos*. Among these is a boundary dispute of some kind, which the governor says he will rule on in person, having sent a soldier (presumably a surveyor) to do preparatory work.

These six letters confirm that the pattern of petition and response laid out by Millar for imperial correspondence could apply also to Roman governors during the empire. Concerns about civic boundaries and associated disputes are just some of the issues addressed in this correspondence, reminding us that boundary disputes should be seen as part of a broader suite of administrative and judicial activities to which certain common procedures were applied.

Letters from appointed judges (iudices dati)

The only extant letter from an appointed judge is fragmentary and forms part of the Nigrinus dossier relating to disputes over the boundaries of the sacred land of Apollo at Delphi. Written in Greek to the magistrates and council of a city whose name is lost (possibly Delphi), it mentions copies of something, a $\delta\rho o\theta \epsilon \sigma i\alpha$, boundary markers, and Eleusis. Otherwise its content is obscure.

⁶⁴ A fragmentary document in the Nigrinus archive (Text 39.9) is probably a letter and was clearly authored by an individual who claimed judiciary authority (in line 6 of the first fragment the author mentions his own verdict: $\pi\alpha\rho\dot{\alpha}$ τὴν ἐμὴν ἀπόφ[ασιν ---). This author, who invokes a friend (Il. 3 and 7), mentions the *Delphoi* (l. 8) and refers to the recipients in the plural (l. 13), has sometimes been thought to be an emperor. Line 20 seems to indicate that the document was issued in *Eleusis*, so (if an emperor), it would have to be Hadrian. Note, however, that Nigrinus issued one of his verdicts from *Eleusis* (Texts 39.5 = 39.6), so it seems more likely that he was the author of this letter as well.

⁶⁵ Instance 16. This dossier also provides one of our few extant verdicts in a boundary dispute case: see page 18, above.

⁶⁶ Instance 18.

⁶⁷ Text 39.7.

One of the verdicts in the Nigrinus dossier mentions a letter that is not extant.⁶⁸ It is said to have been sent by Cassius Longinus, who adjudicated a previous dispute between the same parties (*Delphi* and *Ambrossos*). The letter seems to have transmitted his decision (perhaps including therein a verdict, like Vespasian's ruling on the *subseciva*⁶⁹), and had been officially inscribed on the wall of the temple at *Delphi*. That decision formed the legal basis for Nigrinus' ruling.

Letters to Governors

A badly damaged inscribed dossier from *Kierion* (mod. Pyrgos Kieriou in Greece) preserves at least two (perhaps three) letters addressed to a provincial governor in the context of a boundary dispute between the Thessalian communities of *Kierion* and *Metropolis* (mod. Palaiokastro Georgikon). The two that are complete enough to provide useful information were authored by officials of the Thessalian *koinon*, a body that the governor had consulted for a ruling on how much land in the disputed area belonged to each party.

Letters: Conclusion

The preceding overview demonstrates that, despite the paucity of our evidence for boundary disputes, the exchange of letters between imperial officials and the communities involved was an essential component in management and resolution. Communities approached administrative officials with letters; responses were transmitted back via the same medium. Letters could delegate actions, request information, and communicate verdicts (usually by attachment of a written copy of the verdict itself). Historians are well acquainted with the legal standing of imperial letters in the Roman world: they constituted law. The manner in which communities like *Histria* memorialized the letters of governors indicates that these letters too had legal force, constituting valid evidence (just like a prior verdict, *determinatio*, or map) in future judicial contexts.

What we are sadly missing is even a single letter from a community to a governor, *iudex* or emperor in which the community lays out its case. It is clear from other evidence, especially the surviving letters of emperors and the *Histria* dossier, that such letters were written and delivered. The closest we can come to the text of such a document is the Tacitean summary of the Messenian and Spartan arguments in their dispute over the sanctuary of Artemis Limnatis.⁷¹ This

⁶⁸ The bilingual pair of Texts 39.1 and 39.2.

⁶⁹ Instance 69.

⁷⁰ Instance 2.

⁷¹ Text 10.1.

overview was presumably informed by a record of the hearing – or even copies of the advocates' speeches – preserved in senatorial archives and consulted by the historian.

Boundary markers placed in accordance with a verdict

The range and relative consistency of vocabulary employed in the Nigrinus dossier promises a textual-analytic method whereby other documents relevant to boundary disputes can be identified and understood. The preceding examination of other verdicts and letters demonstrates that both the legal and the boundary-related terminology observed in the Nigrinus dossier does form a coherent and relatively consistent technical vocabulary in both Latin and Greek. Armed with an understanding of this technical vocabulary, we can turn to the other inscribed documents that mention boundaries in an attempt to determine which of them provide solid evidence for boundary disputes. This is an essential task if we are to discriminate the range of possible causes for demarcation. For example: boundaries might be marked as a result of a dispute, or because those boundaries had been imposed or assigned for some reason by imperial authority. For that matter, many boundaries must have been marked as standard practice, particularly in the context of centuriated areas associated with colonial establishments. Markers might also have been used in some cases to record facts relevant to sale, lease or taxation of the land so bounded. Care is clearly warranted in the handling of our evidence.

It is not uncommon to find modern literature that, with varying degrees of precision, refers to this or that boundary marker as a "boundary settlement." Greater precision is needed if we are to avoid conflating evidence that may derive from a wide range of administrative procedure or standard practice with that which bears directly on our understanding of boundary disputes. Accordingly, only those documents whose form and language clearly indicate a direct relationship to a dispute about boundaries are presented below.

Apart from verdicts and letters, texts related to boundary disputes may fall into one of three broad categories: inscribed boundary markers that make reference to a dispute; other inscriptions that memorialize victory (or defeat) in a dispute; and literary passages that are similarly explicit. By definition, none of these texts can be expected to give a full copy of the presiding official's ruling in the dispute. When boundary markers make reference to a dispute, they presumably do so in order to assert their validity and to facilitate verification in future. Other inscriptions may have served a celebratory or archival purpose, perhaps functioning as an introductory part of a now-fragmentary dossier that once also contained relevant letters and verdicts.

In the discussion that follows, the relevant epigraphic evidence (markers and other inscriptions) are presented in an order that corresponds to the preceding discussion: first come those that make explicit mention of a verdict, then those that cite a letter or other definitive document. Literary narratives may be dealt with more fully thereafter.

ex decretis

The Latin word that most directly evokes a Roman judicial verdict in the Nigrinus dossier (*decretum*) makes an appearance on six boundary markers, and one altar, that all seem to have been related to boundary disputes.

The relevant markers all employ some variation on the phrase "in accordance with the verdict" (*ex decreto*). The count includes two extant markers from the area of *Histria*, erected between an otherwise unknown individual named Messia Pudentilla and the inhabitants of the *Vicus Buteridavensis* "by order and according to the decree" ([I]ussu et ex dec[ret]o) of the provincial governor of *Moesia* under Severus and Caracalla. ⁷² A damaged boundary marker from *Dalmatia* may confidently be associated with a boundary dispute as well, for it employs the phrase "by decree ... of the imperial legate" (*Ex dec[r(eto)]* ... leg(ati) pr(o) pra[et(ore)]). ⁷³ The same legate, P. Cornelius Dolabella, also issued a verdict in a boundary dispute attested by two recently published boundary markers. ⁷⁴ Finally, we may consider a boundary marker from Spain mentioning only a single party. Despite this oddity, ⁷⁵ it too must stem from a boundary dispute, for it was erected according to the verdict of the governor:

(Dated:) when the emperor **Domitian** Caesar Augustus, son of Augustus, was consul for the 10th time. Augustan boundary marker of the *Municipium Flavium Cisimbrense*, according to the verdict of Lucius Antistius Rusticus, the proconsul.⁷⁶

A problematic second-century inscription from *Salona* mentions both boundaries (*limites*) and a verdict (*decretum*), and therefore may also point to the resolution of the boundary dispute. The inscription is cut into an altar and the text is dedicated to Hercules. It is my opinion that the

⁷³ Instance 4. A more fragmentary inscription beginning [e]x dec[reto] ... may be related to the same dispute (see Instance 5). Apart from these two incidents, this particular governor, P. Cornelius Dolabella, is on the record settling several boundary disputes during his term in the province (between AD 14 and 20; full cross-references in the Prosopographical Index).

⁷² Instance 51.

⁷⁴ Instance 6.

⁷⁵ Most inscribed boundary markers seem to have included the names of all parties they separated. In many cases, this will have been two, one to either side of a boundary line going through the marker. Some markers served as corner nodes in a demarcated area, so that the properties or territories of three or more parties converged at that point. An extant example of the latter actually employs the special term *trifinium*, which the *agrimensores* defined as a point where the boundaries of three properties met (Instance 40, cf. Campbell 2000, 108.3). Often, the text of the marker includes the word *terminus* (or *trifinium*), and the landowning parties are introduced with the preposition *inter*. Examples survive, however, in which one or the other of these words is omitted. Sometimes the name of each party is inscribed on the opposite side from the other.

⁷⁶ Instance 26.

otherwise unparalleled phrase *ob decr(etum)* ... *legati* is a variation on the *ex decr(eto)* we have noted elsewhere, and therefore the inscription memorializes the compliance of a landholder with a verdict of the governor requiring him to clear a public right-of-way across his property.⁷⁷

κατὰ ἀπόφασιν

Similar in structure to the Latin boundary markers described above, we also have three Greek markers from a single early third-century dispute near *Philippopolis* (mod. Plovdiv in Bulgaria) that record a boundary demarcation in accordance with a "divine verdict" ($\kappa\alpha\tau\dot{\alpha}$ θείαν ἀπόφασιν), i.e., a decision of the emperor. This is another inscription that only mentions one party, in this case.

ex sententia

The most common method of referring to relevant verdicts on Latin boundary markers is the use of the phrase *ex sententia* (according to the verdict). This phrase appears on eight extant boundary markers.

At least three of these markers relate to imperial decisions. The earliest is a verdict of Titus (posthumously implemented) in a dispute between *Capua* (mod. S. Maria Capua Vetere in Italy) and a prominent Knossan citizen, Plotius Plebeius, about property boundaries on Crete.⁷⁹ The other two reflect unrelated disputes, both settled by Antoninus Pius. One ordered the establishment of an official boundary description for the territory of *Musti* (mod. Henchir-Mest in Tunisia).⁸⁰ The other mandated the restoration of the territorial boundaries of *Palmyra* that had been placed in accordance with a previous verdict of Hadrian.⁸¹

As demonstrated above, a governor's verdict could be expressed similarly with the word *sententia*. This usage is reflected in three inscriptions found at various sites in modern Croatia that record the placement of boundary markers between the territories of *Oneum* and *Nerate* "by order of" (*iussu*) the provincial governor, "in accordance with the verdict he pronounced, having assembled his *consilium*" (*ex senten{ten}tia quam iis athi*-b-ito consilio dixit). 82

⁷⁷ Instance 49. See full discussion and argument in the catalog entry.

⁷⁸ Instance 52.

⁷⁹ Instance 27.

⁸⁰ Instance 46.

⁸¹ Instance 35.

⁸² Instance 7.

The verdict of a *iudex* appointed by a governor could also be described as a *sententia*. Three boundary marker texts of this type survive. Two unrelated sets of markers were established in accordance with verdicts issued by appointed *iudices* in *Dalmatia*, one (AD 69) found near Dobropoljci in Croatia and the other (also first century) near Šušnjar in Serbia. ⁸³ Another marker, this one from the area of *Solia* (mod. Majadalaiglesia in Spain), also attests to the verdict of a *iudex* while recording a somewhat obscure endorsement by the emperor Hadrian. ⁸⁴

A fourth text recording the placement of boundary markers in accordance with the *sententia* of a *iudex* is not attested on any surviving markers. Rather, it appears as an example in the works of the *agrimensores*. The form of the text varies from the extant markers as well, employing an ablative absolute construction rather than the *ex sententia* noted in the other texts: "*Ex auctoritate imp(era)t(oris)* ... *sente(n)tia dicta p(er) Tusceniu(m) Felicem p(rimum) p(ilum) II* ..." (by the authority of the emperor ... the verdict having been rendered by Tuscenius Felix, *primus pilus* twice). 85

Boundary markers placed in accordance with an imperial letter

We have only one set of boundary markers that explicitly state they were placed in accordance with a letter of the emperor ($\dot{\epsilon}\xi\,\dot{\epsilon}\pi\iota\sigma\tauo\lambda\hat{\eta}\varsigma\,\Theta\epsilon\sigma\hat{\upsilon}\,\Sigma\epsilon\beta\alpha\sigma\tau\sigma\hat{\upsilon}$). ⁸⁶ These markers record an authoritative demarcation carried out jointly by the imperial legate governing the province of *Galatia* and an imperial procurator. The boundary in question divided the territory of the city of *Sagalassos* (near mod. Ağlasun in Turkey) from that of a village on an adjoining imperial estate. The demarcation, which may reflect the resolution of a dispute, required imperial authorization because neither the governor nor the procurator possessed jurisdiction that spanned both parties.

Boundary markers that mention the "hearing of a case" (causis cognitis)

A judicial context for a text can also be deduced from the use of the ablative absolute construction in Latin to indicate that a case has been heard (e.g., *cognita causa*). As in the case of the various words for verdict, the context is important for our purposes. Not every judicial case between two parties (even if the parties were civic entities) would have been about boundaries. We must also find – either in the text itself or in the form of the matrix upon which it was inscribed – evidence that boundaries played a key role in the dispute. The verdict rendered by

⁸³ Instance 19 and Instance 32.

⁸⁴ Instance 40. See full discussion in the catalog entry.

⁸⁵ Instance 45.

⁸⁶ Instance 79.

Q. Sentius Gellius Augurinus between *Lamia* and *Hypata* is a clear case. ⁸⁷ His verdict begins: "Since the ... princeps wrote to me that, surveyors having been consulted concerning the boundary disputes ... and the case having been heard (*cognita causa*), I should establish the boundary." The verdict pronounced by the Sardinian proconsul L. Helvius Agrippa in a dispute between the *Patulcenses* and the *Galillenses* uses a virtually identical phrase: "... the case having been heard (*caussa cognita*), he declared"

Three famous boundary markers from Pompeii are likewise unproblematic. They mark a boundary just outside the city walls that evidently played a key role in the judicial activities of the tribune T. Suedius Clemens. The texts clearly indicate that his role was to remove squatters from public lands of Pompeii, evidently including (or especially?) those immediately adjacent to the city walls. That this process necessitated legal hearings and the demarcation of boundaries is equally clear:

By the authority of the emperor Caesar **Vespasian** Augustus, public places repossessed from private parties. T. Suedius Clemens, tribune, **the cases having been heard and measurements having been made** (*causis cognitis et mensuris factis*), restored them to the *Res Publica* of the *Pompeiani*. 89

A fragmentary boundary marker from Portugal, probably dating to the reign of Augustus, also employs this terminology. It is probable that the imperial legate of *Lusitania* judged the case.⁹⁰

Boundary markers recording agreement between the parties

Seven extant documents record the agreement of the parties in some aspect of boundary demarcation. Three of these clearly advertise their derivation from boundary disputes, while the other four are less explicit. The dispute between Plotius Plebeius and the city of *Capua* regarding land near *Cnossus* on Crete is most clearly derived from a boundary dispute. ⁹¹ This settlement, effected by an imperial procurator, proceeded from a verdict (*sententia*) of the emperor Titus as well as the agreement of both parties ([ex c]onventione u[tri]usq(ue) [parti]s [t]ermini positi sun[t]). In two other cases, both from *Dalmatia*, individuals are appointed as *iudices* according to

⁸⁷ Instance 38. See also page 17.

⁸⁸ Instance 22. See also page 19.

⁸⁹ Instance 65. Clemens' work was focused on the restoration of public lands of Pompeii that had been occupied by private persons, a special class of civic problem that in some cases was resolved by appealing to the emperor or governor for assistance (see page 34). In Clemens' case, a boundary survey and judicial hearings are clearly mentioned on the surviving markers.

⁹⁰ Instance 1.

⁹¹ Instance 27.

the agreement of both parties. In both these cases, it seems to be the selection of the *iudices* that was agreed on, not necessarily the boundaries themselves. ⁹²

In two further cases (one between the *Mudicivi* and the *Zamuci* in North Africa and the other between the *Dienses* and the *Olossonii* in Greece), boundary markers were established by Roman officials according to the agreement of both parties.⁹³ There is nothing in the text of either inscription that otherwise indicates that disputes occurred, but it is difficult to imagine a circumstance under which two civic entities would require Roman involvement in setting boundaries between them that was not precipitated by a dispute.

Only one surviving boundary marker from the Roman world records a boundary agreement between two civic entities but makes no mention of a Roman official. A rupestral inscription, located in modern Croatia, records a negotiated boundary as well as a right-of-way across that boundary for the purpose of accessing a water source. ⁹⁴

Imperial orders: iussa, κελεύσεις and praecepta

The emplacement of boundary markers is often attributed to the "orders" of an emperor, governor or other imperial official. In six documents otherwise clearly associated with boundary disputes, both noun and verb forms of *iussum* and κέλευσις are used to describe the relationship between an appointed *iudex* and the magistrate (emperor, governor, legate) who appointed him to adjudicate the case. One of Nigrinus' verdicts illustrates both the usage and the cross-language relationship: *optimus princeps cognoscere me iussit* = ὁ μέγιστος αὐτοκράτωρ ἐκέλευσέν με κρεῖναι.

In the rest of our boundary-related documents, the meaning of these words is more generally that of "order," indicating the command given by the competent official to the individual or group responsible for actually placing the markers or carrying out the survey. Thus, orders could be given for the placement of boundary markers in accordance with a verdict, ⁹⁷ in accordance with

⁹² Instance 8 and Instance 9.

⁹³ Instance 28 and Instance 33.

⁹⁴ Instance 58.

 $^{^{95}}$ Latin: Texts 39.3 and 32.1. Greek: Texts 42.1, 43.7, 39.4 and (probably) 54.1. But see also the problematic ἐπιταγή, page 33.

⁹⁶ Text 39.3 (Latin) = Text 39.4 (Greek).

⁹⁷ Texts 7.1, 51.1 and 51.2.

the agreement of both parties (implying a dispute settled through arbitration), ⁹⁸ as assigned (i.e., imposed), ⁹⁹ to replace earlier markers, ¹⁰⁰ or for reasons that remain obscure to us. ¹⁰¹ Given the focus of this usage (on the chain of responsibility for emplacement, rather than on the mechanisms of decision-making), the issuance of orders to effect a demarcation cannot be taken as evidence of a boundary dispute. There must be other evidence, either in the text or from external sources, that confirms the emplacement occurred as a consequence of dispute resolution.

The Latin word *praeceptum*, together with its verbal form *praecipio*, is occasionally used in the boundary-related evidence in place of *iussum* and *iubeo*. In one document, *praecipio* performs the first function noted above: it describes the relationship between a superior and a subordinate in the context of delegated responsibility for resolution of a dispute. Another fragmentary inscription seems to indicate that a proconsul judged a boundary dispute according to a "sacred order" ([--ex] sacro praecepto), perhaps a delegatory command of the emperor. ¹⁰² In the context of an authoritative demarcation in Romania, memorialized on two surviving markers, a centurion places boundary markers according to the order of the provincial governor (ex praecepto consularis terminos fixit). ¹⁰³

Edicts: edicta or διαταγαί

Edicts, whether issued by emperors or other imperial officials, appear surprisingly rarely in the evidence for boundary demarcation. The Latin word occurs only twice in unambiguous association with boundary demarcation. In AD 69, the proconsul of Sardinia issued his extended verdict in the on-going boundary dispute between the *Patulcenses* and the *Galillenses*. In summarizing the relevant actions of his two immediate predecessors, he indicates that one of them had used an edict to admonish the *Galillenses* to comply with his own prior verdicts: "*edicto admonere ut quiescerent et rebus iudicatis starent*." ¹⁰⁴ The reason an edict was used in the other Latin instance is less clear: a boundary marker from the 60s AD records the restoration of boundary markers that had originally been placed in accordance with the edict of an earlier

⁹⁸ Texts 28.1 and 17.1. See further page 30.

⁹⁹ Texts 81.15 and 74.1.

¹⁰⁰ Texts 85.1, 3.5 and 3.2.

¹⁰¹ Texts 103.1, 57.1, 98.1, 48.1, 3.1, 97.1, 97.2, 97.3 and 91.1.

¹⁰² Instance 53.

¹⁰³ Instance 101.

¹⁰⁴ Text 22.1.

proconsul: "ex edictu (proconsulis) determinavi[t]." Rounding out the Latin evidence for edicts and boundary demarcation, we come to a famous edict of the emperor Claudius, issued at *Baiae* in AD 46. The edict concerns a complicated and extended set of disputes in northern Italy, some of which may have involved boundaries. Claudius here clearly uses the edict to publish his response to the matter, which includes the delegation of dispute resolution to his *amicus* Iulius Planta. The disputed citizenship of some peoples in the area of *Tridentum* (mod. Trento) had been called into question, and Claudius made new law to resolve the problem: he granted them citizenship as a *beneficium*.

The standard Greek equivalent for the Latin *edictum* (διαταγή) occurs in only one context relevant to the present study: lands sacred to Artemis of *Ephesus*. ¹⁰⁷ A series of boundary markers there record their emplacement in accordance with one or another edict of the emperors Domitian or Trajan (κατὰ τὴν διαταγήν). The earlier markers associated with a restoration and possible expansion of these public lands carried out by the emperor Augustus do not use this term. The character of the two later edicts is unclear.

A Greek word incorporating the same root, ἐπιταγή, is used in a bilingual inscription from the area of *Apollonia Salbakes* (mod. Medet in Turkey). This inscription records the demarcation of two villages in accordance with the command of the emperor Trajan (ἐξ ἐπιταγῆς αὐτοκράτορος). Unfortunately, the corresponding portion of the Latin text is lost, so we cannot be sure whether *ex edictu* stood there. The text's editor has conservatively supplemented *iussu imperatoris*, reflecting the equivalence of *iussum* and ἐπιταγή found in the papyri. Absent a study aimed at clarifying the usage of this word in Roman administrative documents, its exact purport here cannot be refined further than the basic notion of an imperial order of some kind.

Literary testimony

We do occasionally find literary passages that attest to the occurence of a boundary dispute. ¹⁰⁸ It is Josephus who provides two of the most explicit boundary dispute testimonies in a literary source. Both provide interesting sorts of evidence. In AD 44, the procuratorial governor of *Iudaea* inflicted capital punishment on the ringleaders of a Peraean mob who had taken a

¹⁰⁵ Text 3.5.

¹⁰⁶ Instance 15.

¹⁰⁷ Texts 61.9 - 61.16.

¹⁰⁸ The present work does make an attempt to provide a comprehensive list of all literary references to boundary disputes. Those literary texts that are included appear either because they are included by Burton 2000 in his evidentiary catalog, or because they related to extant epigraphic evidence.

boundary dispute with *Philadelphia* into their own hands, killing a number of their opponents. ¹⁰⁹ Josephus' commentary explicitly indicates that the governor expected to be the first recourse in such a dispute, and that provincial cities that had such disputes ought to have waited for a verdict from him. In an earlier passage relating the peregrinations of M. Iulius Agrippa, Josephus reveals our only documented case of attempted bribery in an imperial boundary dispute. ¹¹⁰ The episode ends badly for Agrippa when the proconsul learns that he has agreed, for a fee, to use their relationship to the advantage of *Damascus* in a boundary dispute with *Sidon*. The proconsul ejects Agrippa from his *consilium*.

Tacitus, too, provides some insight. His narratives provide valuable insight into certain boundary-related events also attested in the epigraphy. These include: a dispute between *Sparta* and *Messene* heard by the Senate in AD 25, a *repetundae* trial brought by the Cyrenaicans against an imperial land commissioner in AD 59, and the chaotic events of AD 69 in North Africa that permitted a boundary dispute between *Lepcis* and *Oea* to erupt into full-scale warfare.¹¹¹

The Restoration of Boundaries¹¹²

Latin verbs like *restituo* and *repono* (and the Greek ἀποκαθίστημι) also appear on a number of boundary markers. Their meaning varies. In some cases, one of these words signals the repair or replacement of older boundary markers that were damaged or missing. This might occur in the context of other maintenance operations, as indicated by a first-century inscription found along the river Trebišnjica in Montenegro:

¹⁰⁹ Instance 14.

¹¹⁰ Instance 11.

¹¹¹ Instances 10, 62 and 21, respectively.

¹¹² It has not been feasible in the context of this project to identify and present all of the epigraphic evidence for the restoration of land in the Roman empire, in part because it is not always easy to distinguish a document that relates to the repair of a structure or road from one that relates to land or boundaries without careful consideration of physical context (a time-consuming undertaking). The verb *restituo* might be used in either case and the object omitted, its identity being supplied from context. A proper study of imperial involvement in the restitution of lands and boundaries would also take into account imperial involvement in other types of restitution. See further comments in the Catalog at Instance 69. "Restoration" documents included in the present study are those regularly cited in the secondary literature as "boundary disputes" or "boundary demarcations." The most obvious omissions – necessitated by limits of time and space – from the present study are the important Vespasianic documents from the Roman colony of *Arausio* (mod. Orange in France). These terribly fragmentary documents, presented together in Piganiol 1962, relate in part to a restoration of the public lands of the colony, occupied by private persons, that seems to have made use of a map sent from Rome. A separate, large study of *restitutio locorum publicorum* is needed.

[L(ucius) F]unisulanus Vet/[to]nianus leg(atus) pr(o) pr(aetore) / [po]ntem et terminos / [re]novari ius(s)it per Cas(s)ium Fron(t)one(m) / o(ptionem) leg(ionis) IIII F(laviae) f(elicis) in / [fun]do Vesi<i>o C/SCDLV.

Lucius Funisulanus Vettonianus, propraetorian legate, ordered the bridge and boundary markers to be repaired through Cassius Fronto, *optio* of *Legio III Flavia Felix* on estate of the Vesii ¹¹³

It seems reasonable to suppose in this instance that age, or some event like a flood, had caused enough damage or degradation to the bridge that repairs were necessitated. Some boundary markers in the vicinity – perhaps marking the "beds and banks" of the river ¹¹⁴ or an area around the bridge on which structures could not encroach – were also damaged, and these were to be repaired as well.

On the other hand, the need for repair, restoration or replacement might also arise from a boundary dispute, either because someone had deliberately moved or destroyed markers, or because time and natural disasters had obscured them. Unfortunately, as is the case with the use of the words *iussum* and *iubeo*, the verb *restituo* places the focus on the action of those emplacing the markers, not on the reasons behind their action. We have no case in which any of these verbs is used in this way alongside other language that proves a dispute had occurred. Nonetheless, most of these markers emphasize the earlier demarcations on which the locations of the replacement markers are based. This is a preoccupation they share with the documents that we can link unequivocally to boundary disputes; therefore, it is not unreasonable to suppose that – absent clear indications to the contrary, like the bridge repair project cited above – the restoration of boundary markers on the basis of prior demarcations signals a dispute. It seem unlikely that wholesale restoration of boundary markers would be undertaken unless a dispute had occurred, or at least seemed probable. Eight separate demarcation instances fall into this category. 115

These same verbs can be used to describe other types of boundary (or land) restoration as well. These usages include: the "restoration" of public or sacred lands and their boundaries, ¹¹⁶ as well as the giving back to a community properties or territorial jurisdiction it had once had, but that had subsequently been lost or revoked. ¹¹⁷ In at least two of the public land restorations, it is

¹¹³ Wilkes 1974, 266-267 no. 21. Wilkes offered the following speculative supplements for the string of characters at the end of the inscription: c(urante?) sc(ripturam?) D(...) L(...) v(ilico?).

¹¹⁴ Compare the cippi from Rome (see note 125).

¹¹⁵ See Texts 3.5, 12.1, 29.1, 31.1, 35.3, 48.1 and 85.1. NB: other circumlocutions can be used to convey the same meaning, e.g.: *ter(minus) vetus positus secundum acta* (Instance 102).

¹¹⁶ Instances 64, 65, 66, 68, 63, 62, 67 and 76.

¹¹⁷ Instances 72, 75, and possibly Text 35.1.

clear that dispute resolution was at the heart of the mission of those assigned to deal with the problem. This is true of T. Suedius Clemens, whose mission to *Pompeii* clearly involved the resolution of lawsuits arising from the disambiguation of public and private space. L. Acilius Strabo, in return for his work as an adjudicator of Roman public lands in *Cyrenaica*, was prosecuted for provincial maladministration by the Cyrenaicans.

Authoritative Demarcations

There are several extant inscribed boundary markers that reflect the involvement of imperial officials, but cannot be securely associated with disputes. For this category of evidence, G. Burton introduces the classification "authoritative demarcation" at the beginning of his essential article on the resolution of territorial disputes in the provinces of the Roman empire. As his presentation progresses, he further defines these demarcations as reflecting "the creation of fixed and authoritatively recognised boundaries," in direct contrast to boundaries that were "existing, but contested." But by the time he summarizes all his evidence in his Appendix, the full range of boundary demarcations have become simply "adjudications," and even the distinction he first introduced has disappeared from the presentation. This inconsistent application of a shifting categorization to our evidence needs to be stabilized and refined.

The preceding sections should make it clear that a careful approach to the language and character of our evidence is essential to a proper understanding and responsible analysis of Roman administrative practice with respect to boundary disputes between internal components of the empire. It might possibly emerge from such an analysis that Roman officials made little distinction in process or legality between boundary adjudication and boundary imposition. It might further be concluded that even the cities, peoples and individual wealthy landowners whose territories and properties were so demarcated viewed the settlement of a disputed boundary in the same way they viewed a boundary imposed by the state. Such important (and unexpected) conclusions, however, cannot be advanced on the basis of an approach to the evidence that assumes such commonality. If we blur the distinctions of language in the evidence, we will be unable to discern the distinctions of thought and of procedure that the Romans themselves applied

¹¹⁸ Instance 65.

¹¹⁹ Instance 62.

¹²⁰ Burton 2000, 195.

¹²¹ Burton 2000, 203.

¹²² Burton 2000, 205-208. As pointed out in the Introduction, this sort of fluid interplay between the concepts and related actions of demarcation and adjudication is a common form of imprecision in the scholarly literature.

to these situations. The inconsistent application of analytical categories runs the risk of masking difference and vitiating conclusions.

It will become apparent from what follows here that I do not agree that all authoritative demarcations can be taken as cases of new, imposed delimitations on the part of imperial authorities. Nor is it appropriate to describe all authoritative boundary demarcations as adjudications. ¹²³ In fact, I believe we should apply Burton's useful term "authoritative demarcation" more generally to any situation in which an imperial official was involved in the demarcation of a boundary. Within the body of evidence thus defined, we should carefully work to discern which instances of demarcation stemmed from disputes, which represent the creation or assignment of new boundaries, and which ones simply do not provide enough information for us to make such a determination. It is on the basis of these rigorous distinctions that analysis can then proceed.

Boundaries demarcated on the authority of the emperor

Boundary markers that invoke the authority of the emperor clearly require just such a rigorous approach. Of twenty-two separate boundary-related texts that contain the phrase *ex auctoritate imperatoris*, only six provide clear internal evidence that they relate to a boundary dispute. Four others record the "restoration" of boundaries or boundary markers. Two further texts explicitly record the assignment (i.e., imposition) of boundaries. The remaining ten lack sufficiently distinctive language to place them in one of these more definite categories; that is,

¹²³ *Pace* Doukellis 1995, 225.

¹²⁴ Instances 28 (ex auctoritate imperatoris ... iussu ... leg(ati) Aug(usti) ... terminus positi (sic) ... ex conventione utrarumque nationum), 46 (ex auctoritate et sententia imperatoris ... determinatio facta publica), 65 (ex auctoritate imperatoris ... loca publica a privatis possessa ... tribunus ... causis cognitis et mansuris factis ... restituit)>, 20 (ex auctoritate imperatoris ... trib(unus) mil(itum) ... iudex datus a legato ...), 33 (ex auctoritate imperatoris ... [fi]nes dere[cti ... ex c]onvention[e] ipsorum ...), 45 (ex auctoritate imperatoris ... sente(n)tia dicta p(er) ... p(rimum) p(ilum) ... determinate ... mesore agrario).

¹²⁵ Instance 87 records the restoration of territorial boundaries between two peoples and Instance 64 records the restoration and boundary marking of public land that had been occupied by private parties. Texts recording the restoration of markers associated with the boundaries of the Tiber's banks reflect the same language but are, strictly speaking, outside the scope of this study (e.g., EDH HD027398 = CIL 6.40864, EDH HD026538 = CIL 6.40865, EDH HD001989 = CIL 6.40866, EDH HD021346 = CIL 6.40867, EDH HD021343 = CIL 6.40868. See also note 127 *ad finem*). On the topic of restoration, see page 34.

¹²⁶ Instances 71 (ex auctoritate imperatoris ... fines adsignati gen[ti] ... pe[r ...] ... leg(atum)) and 74 (ex auctoritate Imppp(eratorum) ... agri et pascua et fontes adsignata ... iussu ... leg(ati) ... per ... evocatum leg(ionis)). To these should perhaps be added two Hadrianic boundary markers that invoke the emperor's indulgentia, rather than his auctoritas (Instance 73: ex indulgentia imperatoris ... fines adsignati genti ... per ... proc(uratorem)). In this case, it would appear, the assignment or imposition of borders was viewed as a beneficium of the emperor.

they do not display the intersection of judicial and boundary-related terminology noted in the extant verdicts and letters discussed above. 127

All three categories employ the phrase *ex auctoritate imperatoris*, but it is clear that the two inscriptions recording the assignment of land or boundaries should not be conflated with the inscriptions that clearly register an origin in a dispute. The indeterminate texts share the basic terminology of boundary markers (*termini positi*, *fines positi*, etc.) with the inscriptions that attest to disputes, but they fail to include any language of a judicial character (*iudex datus*, *causis cognitis*, *ex sententia*, etc.). In fact, they fail to register any reason for the demarcations they record. Given only the commonality of "boundariness" and the attribution of authority to the emperor, these inscriptions could represent either an adjudicative resolution of a boundary dispute or the administrative imposition of boundaries. Without corroborating external evidence of some kind, the most we can say about these texts is that they represent authoritative demarcations. ¹²⁸

Boundary on the authority of someone else

The phrase *ex auctoritate* + gen. is rarely used of any official other than the emperor. There are only four instances in the published epigraphic record, all from North Africa. In two of these instances, boundary markers are placed on the authority of procuratorial governors. In a third instance, the authority of a procurator of the *ratio privata* is invoked. Finally, a series of markers were erected on the authority of a legate in command of *Legio III Augusta* during the last year of Hadrian's reign. Why markers should have been placed on the authority of these individuals, instead of the emperor, is unclear.

Instances 89 (ex auctoritate imperatoris ... leg(atus) inter X et Y ... (no verb)), 83 (ex auctoritate imperatoris ... fines ... derecti ... per ... legatos), 90 (ex auctoritate imperatoris ... leg(atus) inter ...), 96 (ex auctoritate imperatoris ... termini pos(iti) i[n]ter X et Y per ... proc(uratorem)), 86 (ex auctoritate imperatoris ... fines derecti inter X et Y ...), 95 (ex auctoritate imperatoris ... (legatus) inter X et Y fines posuit), 88 (ex auctoritate imperatoris ... fines inter X et Y ...), 84 (ex auctoritate imperatoris ... leg(atus) ... inter X et Y terminavit), and 92 (ex auctoritate imperatoris ... fines derect(i) [int]er X [et] Y ...). Two different additional texts are attested on a number of boundary markers from the vicinity of Cirta: Texts 81.1 and 81.2 (ex au(c)torit(ate) imp(eratoris) ... agr(i) pub(lici) ... ad(signati) ...) and Texts 81.3 - 81.11 (ex auctoritate imperatoris ... agri accepti ... separati a publico). Note also the markers of the beds and banks of the Tiber at Rome (ex auctoritate imperatoris ... cur(ator) alvei et ripar(um) Tiber(is) ... terminav(it) ripam ...; e.g., EDH HD023886 = CIL 6.40862 = EDH HD023886 and EDH HD027395 = CIL 6.40863).

¹²⁸ There is one case in which boundary markers carrying just such an indeterminate text can be shown on the basis of external evidence to be related to the resolution of a boundary dispute. Di Vita-Evrard 1979 has convincingly argued that two nearly identical inscribed markers placed between *Lepcis* and *Oea* in AD 74 by the imperial legate C. Rutilius Gallicus not only brought a definitive end to a violent boundary dispute described by Tacitus and Pliny the Elder, but also marked the pre-dispute boundary between the cities' territories (Instance 21).

Categories of Evidence

On the basis of the foregoing discussion, it is possible to categorize the available evidence as it relates to disputes or other boundary matters. Five categories emerge:

- Boundary disputes, together with other types of land disputes that required boundary demarcations as part of their settlement
- Restoration of public and sacred lands
- Other land disputes that do not seem to have involved boundaries
- The assignment of boundaries, together with grants of land and the restoration of properties or boundaries lost or revoked at some earlier time
- Authoritative demarcations when there is insufficient information to classify the instance in one of the other categories.

The evidentiary catalog that forms the bulk of this work (Chapter 4) is organized according to these principles.

This page intentionally left blank.

CHAPTER 3

PERSONNEL

As indicated in the introduction, the primary purpose of this dissertation is to identify and present as much of the epigraphic evidence for boundary disputes as possible, while establishing a more rigorous methodology for its interpretation and analysis. The need for doing so was, in part, brought into focus by G. Burton's recent article on the subject. There is not space in the present study to re-examine all of his findings in detail; however, it seems appropriate to address one of Burton's central issues, the identity and roles of Roman administrative personnel who engaged in the resolution of boundary disputes. This chapter, therefore, reviews the evidence that can be reliably classified as stemming from boundary disputes while examining the roles and responsibilities of proconsuls, imperial legates, procurators, *censitores*, the Senate and the emperors themselves.

Provincial Governors

The evidence relating to boundary disputes records the involvement of a variety of individuals, ranging from slaves and soldiers to imperial procurators and governors, all the way up to the emperor himself. Throughout the empire, we would expect boundary disputes to be dealt with expeditiously, and therefore at the lowest possible level of the provincial administration. Disputes between private landholders within a single community would most likely be handled by local officials operating under the dictates of local law (or Roman law, where it applied, as in a colony). Disputes between communities, between communities and individuals not subject to that community's jurisdiction, or between two or more individuals from different communities had to be handled some other way, for no single community could provide a span of jurisdiction adequate to the situation.

One generally assumes that provincial communities would have taken their problems directly to the governor first, but in many ways we are remarkably ill-informed about such arrangements. The historian Josephus, in narrating the consequences of a boundary dispute between *Peraia* (in mod. Jordan) and *Philadelpheia* (mod. Amman), makes it clear that the governor of *Iudaea* expected cities to allow him to adjudicate such disputes, rather than taking matters into their own

¹²⁹ Burton 2000.

hands.¹³⁰ The consequences of disturbing the peace of the province were severe for the ringleaders. This seems to be the expectation of Tacitus, too, who makes the violent boundary dispute between *Lepcis Magna* (mod. Lebda in Libya) and *Oea* (mod. Tripoli) in AD 69 one consequence of a proconsul's withdrawal from public business.¹³¹ Despite these indications, we cannot point to a single surviving letter or petition from a provincial community to a governor concerning a boundary dispute.¹³² In only one verdict are the legal representatives of the communities involved mentioned at all.¹³³ A group of three lead tablets retrieved from funerary urns near *Emporion* (mod. Empúries in Spain) may be the remnants of a spell cast in an attempt to ensure a just outcome in a boundary dispute that was to be judged by the governor of *Hispania Tarraconensis*.¹³⁴ Although the legal advocates representing both sides in the affair were included in the spell, this source tells us nothing about the character of the case nor about their presentations to the governor. We are wholly dependent on the governors themselves to provide clues in their correspondence and verdicts from which we can deduce the character (or even the existence) of a provincial petition. Unfortunately, even here we are almost wholly uninformed.

Only two of the thirty-four cases in which a provincial governor seems to have exercised the primary judicial responsibility in a boundary dispute provide us with any indication of the character of a community's communications with him, and even these do not include the specifics of their case in the actual dispute. ¹³⁵

The first instance relates to the long-running concern of the city of *Histria* (mod. Istria in Romania) for its ancestral rights to tax the revenue from fishing and other activities at one mouth

¹³⁰ Instance 14.

¹³¹ Instance 21.

¹³² A civic decree of *Battyna* (mod. Kranochori in Greece), addressing the polis' concerns about noncitizens who were illegally occupying civic public lands, was to be forwarded to the governor of *Macedonia* (Rizakis 1985 185 = Woodward 1913, 337-346.17, cf. Buraselis 1993 and my comments at Instance 98). Such imperial-era civic decrees could benefit from a comprehensive study. Further work on the interactions between governors and the communities of their provinces, such as that now being conducted by Daniëlle Slootjes for the post-Diocletianic east, could provide more insight into these processes (Slootjes 2000 and dissertation, in progress); see Birley 2002, final paragraph.

¹³³ Instance 38.

¹³⁴ Instance 30.

 $^{^{135}}$ Instances 1, 2, 4, 5, 7, 9, 8, 11, 13, 12, 14, 3, 17, 64, 22, 23, 20, 19, 26, 28, 51, 29, 16, 32, 37, 41, 38, 42, 47, 49, 53, 54 and 55. See also Instance 25 in which the emperor Vespasian informs a community (in response to a petition) that he has written to the provincial governor that he should decide the case. We do not have any indication of how the governor handled the matter. A governor of Thrace in the early third century collaborated with an equestrian provincial *censitor* to place boundary markers in accordance with an imperial verdict (ἀπόφασις Instance 52), but there was perhaps no dispute here.

of the Danube delta.¹³⁶ This dossier preserves 50 years of letters from successive governors of *Moesia* during the latter half of the first century AD, each responding to embassies sent by the Histrians seeking confirmation of these rights. The only reason we have these letters is because they were apparently presented as part of the evidence in a lawsuit brought against *Histria* by a tax contractor who was seeking to deprive them of that revenue. Successful in their own defense, the Histrians obtained not only a favorable verdict, but also an official, surveyed demarcation (*determinatio*) of the area in question. The verdict, the *determinatio* and the governors' letters were all inscribed on multiple stelae (we have two) by the victorious Histrians for placement, no doubt, at strategic points along the boundary in question.

Our second source for the character and content of a city's concerns as expressed to a governor is a letter of L. Venuleius Pataecius (a governor of *Thracia* under Vespasian), addressed to the city of *Thasos*. In his letter, Pataecius addresses a number of concerns about the Thasian *peraea* in Thrace that had clearly been raised by the Thasians. We may speculate that he responds more or less in order to the concerns as laid out in the petition (a letter and civic decree?) that a Thasian delegation had submitted to him. ¹³⁷

We must assume, then, on the standard model for the governor's behavior in his province, that it was through the regular hearing of cases and embassies that these matters normally came to his attention. He might also receive instructions about a case from the emperor, either because one of the communities involved had somehow bypassed the governor and approached the emperor directly, or because the governor had forwarded a community's concern about a dispute to the emperor, who then returned it to the governor for resolution. ¹³⁸

The outcome of a governor's action in boundary disputes is better attested. Of the thirty-four cases in which a governor took primary responsibility, we can detect two standard mechanisms for resolution. Either the governor would hear the case himself (exercising his judicial authority through the process of *cognitio*), or he would delegate the case to another person who would judge the case himself (a process modeled on aspects of the Roman private law). Eighteen instances of *cognitio* are attested. ¹³⁹ Eleven cases were handled using appointed judges. ¹⁴⁰ In one

¹³⁶ Instance 16.

¹³⁷ The rapid-fire list of responses is very similar to that found in a letter of Vespasian, written to the *Vanacini* on Corsica in response to a petition they had placed before him in AD 77 (Instance 25).

¹³⁸ See further discussion in the section entitled "Emperors," beginning on page 55.

¹³⁹ Instances 1 (probably), 2 (probably), 4, 5, 7, 11, 14, 64 (probably), 22, 26, 51, 29 (probably), 16, 30, 41 (two separate cases judged by two separate governors), 38, 49 and 53.

¹⁴⁰ Instances 9, 8, 13, 23 (probably), 20, 19, 32, 37, 42, 54 and 55 (unless the inscription is a forgery).

instance, a governor seems only to have endorsed or assisted in the realization of a treaty between two parties.¹⁴¹

The identification of cases in which a governor handled a boundary dispute solely on his own authority is relatively straightforward. Consistent with the criteria developed in Chapter 1, we can accept as evidence of *cognitio* those documents that exhibit any of the following characteristics: the preserved text of a verdict, an indication that boundaries or boundary markers were placed "in accordance with a governor's verdict" (e.g., *ex decreto*, *ex sententia*), or the consultation of the governor's *consilium*.

The number of extant examples in which a governor exercised *cognitio* in a boundary dispute is far too few to conduct statistical analysis with regard to spatial or temporal trends; however, no surprising concentrations can be observed. The eighteen attested uses of *cognitio* by governors span the temporal range from the Augustan age to the final year of Septimius Severus' reign, including one verdict dating to the chaotic year AD 69. Spatially, this evidence derives from ten different provinces: *Baetica, Lusitania, Dalmatia, Macedonia, Achaia, Moesia, Syria, Iudaea, Creta et Cyrene* and *Africa*. It is noteworthy that, despite the small size of the sample, this group includes both imperial and senatorial provinces, and in each case, both praetorian and consular provinces.

The majority of the boundary-related evidence that demonstrates the appointment of *iudices* by governors comes from the province of *Dalmatia* (seven of the eleven instances), but given the small number of surviving documents overall, it would be foolish to draw any conclusions from this concentration. The temporal spread includes the reigns of Tiberius, Gaius, Trajan and Hadrian, as well as the troublesome year AD 69 (which alone adds the provinces of *Macedonia*, *Achaia* and *Cilicia*). Two other examples come startlingly late: an adjudication in the province of *Asia* sometime probably between AD 253-260, ¹⁴³ and another (if not a fake) in *Dalmatia* ca. AD 270. ¹⁴⁴

¹⁴¹ Instance 17.

¹⁴² The persistent dispute between the *Patulcenses* and *Galillenses* on *Corsica* (Instance 22). We cannot know whether the *Galillenses*' inability to retrieve a bronze "*tabula*" (presumably a map) from Rome in support of their case was a consequence of the year's misfortunes, or of the inefficiency of Roman archival systems, or merely a delaying tactic.

¹⁴³ Instance 54.

¹⁴⁴ Instance 55.

The uniform brevity of the relevant epigraphic texts affords us very little direct insight into the reasons why a governor might have chosen this approach over the more direct method of *cognitio*. The temporal spread of this evidence, however, marks the practice as something more than the idiosyncrasy of one or two governors. Furthermore, evidence of *iudices dati a legato* in other provinces for other types of disputes reinforces the longstanding view of legal scholars that this procedure was in wide use throughout the provinces of the early Roman empire. ¹⁴⁵

A representative example from *Dalmatia* dates to AD 69. ¹⁴⁶ It records the appointment of several otherwise unknown individuals with *tria nomina* as *iudices dati* between *Asseria* (mod. Podgrađe near Benkovac) and *Alveria* (mod. Gradina). This document draws special attention to the delegation of judiciary authority to the *iudices*:

Tiberius Claudius L[- - -], Gaius Avilius Clemens, Lucius Coelius Capella, Publius Raecius Libo, Publius Valerius Secundus, *iudices* appointed by Marcus Pompeius Silvanus, propraetorian imperial legate, established the boundary between the *res publica* of the *Asseriates* and the *res publica* of the *Alveritae* through their own verdict in the current case.

In saying that the *iudices* "established the boundary ... through their own verdict (*sententia*)," this inscription makes explicit the delegation of judicial authority that transferred the responsibility for the case from the governor's tribunal to the person (or persons, in this case) chosen as *iudex*.

The model employed by these governors is clearly that of Roman private law, even though strictly speaking it cannot have applied to most of these communities at this period. ¹⁴⁷ It is clear that, even during the Republic, Roman officials were able and willing to assimilate the terminology and practices of private law to the widespread, pre-Roman international mechanism of third-party arbitration in inter-civic disputes. ¹⁴⁸ The most striking example of this flexibility is provided by the so-called *Tabula Contrebiensis*. It records the delegation, by the proconsul C. Valerius Flaccus, of a case between two Celtiberian communities to the Senate of *Contrebia* (in Spain), together with the resulting verdict. This extraordinary document dates to 87 BC. ¹⁴⁹

¹⁴⁷ Apart, perhaps, from the two later examples: Instances 54 and 55.

¹⁴⁵ This opinion, and the following description of the process of civil trial, at Rome and in the provinces, follows closely that laid out in Crook 1967, 73-87, cf. OCD³, s.v. "Law and Procedure, Roman: 1. Civil Law" by T. Honoré and "Law and Procedure, Roman: 2. Civil Procedure" by B. Nicholas.

¹⁴⁶ Instance 19.

¹⁴⁸ For the Greek evidence on third-party adjudication see Ager 1996, *passim*.

¹⁴⁹ EDH HD000668 = AE 1984.586.

The standard legal procedure of the private law during the early Principate was to bring one's dispute before the practor who, in the legal proceeding we call in iure, worked with the parties to arrive at a structured statement of the legal issue to be resolved (formula). At the very end of this stage, one or more *iudices* were chosen to try the case in accordance with the stipulations set out in the formula. ¹⁵⁰ Generally, the practor tried to select a *iudex* whom both of the parties could agree on. This aspect of the procedure was clearly applied by at least one of the Dalmatian governors. Agreement on the choice of *iudex* is explicitly memorialized in the two earliest imperial "iudex datus" inscriptions from the province, both dating to the tenure of L. Volusius Saturninus as imperial legate (sometime between AD 23 and 37). One records the appointment of a single soldier, probably a centurion, to resolve a boundary dispute between *Nedinum* (mod. Nadin in Croatia) and another community or individual whose name is lost. 152 The other marker uses the same terminology in appointing a group of at least three centurions, drawn from two separate legions, to hear a boundary dispute between two unknown cities. ¹⁵³ The lack of the phrase "ex conventione eorum" on other inscriptions really cannot be taken as an indication that a governor appointed a *iudex* without the agreement of the parties at law. In any case, the appointment marked the close of the *in iure* stage (*litis contestatio*), and thereafter the matter proceeded to trial (*iudicium*) before the appointed *iudices*. These judges were constrained by the dictates of the formula that had been established in iure, but otherwise were free to conduct the case, and to consult the expert opinion of others, as they saw fit.

The governor's complete legal authority in his province permitted him to use or adapt the system of appointed *iudices* as loosely as he wished – or not at all – whether the parties at dispute were Roman citizens or of peregrine status. He was entitled simply to try cases himself (*cognoscere*), and as we have already seen, the epigraphic evidence showed that governors often did just that. But our evidence also shows that provincial governors could and did appoint *iudices*, perhaps to lessen their own workload or to cope with situations that required intensive on-site investigation.

¹⁵⁰ These arrangements should not be confused with those followed for jury trials, in which the jurors were also called *iudices*. In most documented circumstances, the praetor will have chosen a single *iudex* for cases handled via judicial delegation of this type.

¹⁵¹ Saturninus is also known to have delegated the placement of boundary markers between *Oneum* (mod. Omiš in Croatia) and *Nerate* (an unlocated site probably near Salona, mod. Solin) to L. Trebius Secundus, a *praefectus castrorum*, but it is clear from the inscribed text that Secundus' task was an administrative and logistical one, not judiciary. Saturninus ordered him to place the markers "in accordance with the verdict (Saturninus) gave in the presence of his *consilium*" (Instance 7).

¹⁵² Instance 8.

¹⁵³ Instance 9.

Much as we would like the opportunity to closely compare these provincial cases with similar material, public or private, from Rome or areas of Italy where Roman law pertained, we have no well-documented boundary disputes in which *iudices* were employed under the strictures of the formulary system.¹⁵⁴ We are, however, fortunate to know of an incident from the first century in which the related process of *arbitratio ex compromisso* was applied to a boundary dispute between *Histonium* (mod. Vasto in Italy) and a private individual.¹⁵⁵ In such a procedure, the parties agreed to be bound by the decision of a mutually agreeable arbiter. The arbiter's verdict then had binding contractual force.¹⁵⁶

It is impossible, given the small quantity of surviving evidence, to form a complete picture of the range of advisors and assistants that Roman provincial governors employed in the management and resolution of boundary disputes. But our sources are not entirely silent on this topic either. Some observations can be made. In nine of the eleven cases where *iudices dati* were employed, we can say something about the identity of the *iudices*. In five of these, the *iudices* were military personnel (centurions¹⁵⁷ and military tribunes¹⁵⁸). In three, the individuals cannot be identified, but all of them possessed Roman *tria nomina*. The remaining case was judged by an otherwise unknown propraetorian legate, presumably assigned by the emperor to the proconsul's staff. In only one of the cases do we hear of the *iudex* having assistance or advice: a surveyor (not explicitly military).

The documents recording cases adjudicated by governors themselves are somewhat more revealing. Nine of the seventeen provide insight into the role of additional personnel. Five of

¹⁵⁴ Unless we accept the horribly fragmentary Instance 60, apparently related to a dispute between *Ostia* and a private individual. A *iudex* is mentioned, but the context of his appointment has not survived.

¹⁵⁵ Instance 24.

¹⁵⁶ DizEpig s.v. "arbiter" and Crook 1967, 78 and 148. A set of carbonized wax tablets from *Herculaneum* records the settlement of a private boundary dispute through arbitration. See the summary at Crook 1967, 78-79, together with Camodeca 1993 and Camodeca 1994. The stipulation that the verdict had to be delivered in the presence of both parties appears in these tablets, as it does in the verdict from *Histonium*. A surveyor was consulted.

¹⁵⁷ Instances 9 (a board of at least two), 13, and 8.

¹⁵⁸ Instances 20 and 54.

¹⁵⁹ Instances 42, 19 (a board of five) and 32.

¹⁶⁰ Instance 37.

¹⁶¹ Instance 54.

these indicate that the governor consulted his advisory council (*consilium*). A surveyor is explicitly mentioned in only one document (an *evocatus Augusti*, said to have been sent by the emperor). An imperial legate (of uncertain status and function) and an imperial procurator are both mentioned along with the governor and his *consilium* in the lead tablets from Spain. A governor is once represented as having consulted the emperor and received a letter from him. In another case, the governor asks the *koinon* of Thessaly to rule on a preliminary question that pertained to a boundary dispute that he was to adjudicate. In two cases, provincial governors appear to have consulted their predecessors or deliberately communicated with their successors. In two cases, the personnel responsible for the emplacement of the boundary markers in accordance with the governor's verdict are named: a *praefectus classis* and a *praefectus castrorum*.

Imperial Legates Other Than Governors¹⁷⁰

Apart from those imperial legates who were incontrovertibly serving as provincial governors, the epigraphic record preserves indications of as many as nine imperial legates who were

¹⁶² Instances 41, 7, 22 and 11 (in this case the role of the *consilium* is implied: one of the parties to the dispute attempts to bribe an *amicus* of the governor in order to influence the outcome).

¹⁶³ Instance 38. See also Instance 25, a letter of the emperor Vespasian (in response to a petition) in which he refers the party's request concerning resolution of a boundary dispute back to the provincial governor, indicating that a surveyor has been sent to assist him.

¹⁶⁴ Instance 30.

¹⁶⁵ Instance 38 (at the very least, this exchange involved a request for a surveyor, who was provided). Compare Instances 25 (An emperor delegates a case back to the provincial governor) and 68 (A governor consults the emperor by letter in a case that did not, at that time, involve local boundaries. The governor also had to consult a procurator, who then deployed surveyors to make measurements in nearby areas in order to establish a regional mean for the size of *kleroi*).

¹⁶⁶ Instance 2.

¹⁶⁷ Instances 22 and 16.

¹⁶⁸ Instance 51.

¹⁶⁹ Instance 7. NB: a centurion places boundary markers in another case that may been a dispute, but the fragmentary nature of the single surviving document does not provide any information on the adjudicating official (Instance 56).

¹⁷⁰ This is not the place for a complete account of the use of imperial legates on special missions and in support of provincial governors. See further: Thomasson 1991, 26-55 and 73-80. A. Bérenger's study of interactions between provincial governors and special legates, previewed at the XII International Congess of Greek and Latin Epigraphy in September 2002, is in preparation for publication (personal communication, non vidi).

involved in some way in boundary or other land disputes. Four of them were assisting provincial governors in some way. ¹⁷¹ The other five seem to have been assigned to special missions by the emperor, i.e., they were operating as *iudices dati ab imperatore* in cases that could not be addressed for some reason by a provincial governor. ¹⁷²

Imperial Procurators

G. Burton has argued that "in the course of time the provincial procurator ... acquired ... on occasion and in practice, but not normatively, a role in ... areas of public administration which were actually and conceptually quite separate from their original patrimonial duties." In particular, he points to an "extension of the judicial role of provincial procurators (in both the imperial and the public provinces)" and explains it as "a response to the limited resources available for the exercise of public authority in the empire." In partial support of this position, Burton cites six separate instances that he identifies as "boundary disputes." All of these instances are problematic.

Two of them – both authoritative demarcations, to be sure – cannot be demonstrated to have been occasioned by boundary disputes at all. ¹⁷⁶ Furthermore, both involve (at least in part) imperial estates, a domain in which a provincial procurator would certainly have had judicial authority. Burton, in fact, does discard the first instance for this reason, but he seems to have overlooked the existence of the imperial estate in the second. In that instance, the procurator shared responsibility for the demarcation (in accordance with an imperial letter) with the provincial governor, a clear demonstration that the boundary effectively demarcated not only two spatial entities, but also their individual jurisdictions. ¹⁷⁷

¹⁷¹ L. Novius Rufus (Instance 50), Q. Pomponius Rufus (Instance 30), C. Valerius Victor, and T. Pomponius Bassus (both Instance 36).

¹⁷² C. Avidius Nigrinus (Instance 39), T. Suedius Clemens (Instance 65), Lucius Antonius (identity uncertain, Instance 18), [- V]e[r]ginius [P]ub[li]anus (or [R]ub[ri]anus) (Instance 34), and L. Acilius Strabo and Q. Paconius Agrippinus (both Instance 62). On *iudices dati ab imperatore*, see further page 56.

¹⁷³ Burton 1993, 14.

¹⁷⁴ Burton 1993, 28.

¹⁷⁵ Burton 1993, 20-21. They are, in order, my Instances 105, 63, 27, 79, 35 and 99.

¹⁷⁶ Given the application of the stringent criteria set out in Chapter 1. The demarcations in question are Instances 105 and 79.

¹⁷⁷ See further discussion at Instance 79 in the catalog.

Two more instances involve "restorations." In the first case, the testimony of two boundary markers records the emperor Nero's restitution of five *iugera* of land to the Roman colony at *Cnossus* on Crete. ¹⁷⁸ This land had been given to the temple of Aesculapius there by the emperor Augustus, and that grant had been confirmed by Claudius:

Nero Claudiu[s] / Caesar Aug(ustus) / Germanicus / Aesculapio iu/gera quinque / data a divo Aug(usto) / confirmata / a divo Clau[dio] / restituit / C(oloniae) I(uliae) N(obili) Cnos(so) per / P(ublium) Licinium Secu/ndum proc(uratorem)

The character of the procurator's activity in the matter is obscure. There is no language to prove (or disprove) the notion that he performed any judicial action at all. For all we know, the boundaries of the land in question may have been well known and thoroughly agreeable to all. The installation of the markers may have been intended primarily to honor the emperor for the continuance of the *beneficium* and perhaps to advertise the status of the property.

The second restoration, attested by a fragmentary inscription of Trajanic date, probably concerned the boundaries of *Palmyra* (in mod. Syria). ¹⁷⁹ As in the Cretan inscription, the emperor appears in the nominative case as the subject of the verb *restituit*. The restoration was effected through (*per*) the governor of *Syria* and an imperial procurator. It is not unreasonable to argue that this event is somehow connected with a boundary dispute, since another inscription from the site (an extra-urban monument) records a similar restoration by Antoninus Pius in accordance with a verdict (*sententia*) of the emperor Hadrian. This sequence has all the hallmarks of a recurrent boundary dispute. But who rendered verdicts in the matter? Only Hadrian is represented as doing so. We cannot assume, as Burton does, that the procurator played any adjudicative role. We may speculate to the contrary that he was only responsible for supervising a demarcation that flowed from a verdict, or for overseeing a survey aimed at reconstructing the original demarcation. ¹⁸⁰

An inscription dating to Domitian's reign, also from Crete, records the placement of boundary markers in accordance with a verdict of the previous emperor Titus (*ex sententia Titi imp(eratoris)* ... *termini positi*). ¹⁸¹ The procurator in question is mentioned in a participial phrase in the ablative: *agente P(ublio) Mess[i]o Campano proc(uratore) [C]a[es]aris*. The demarcation

¹⁷⁸ Instance 63. The amount of land in question here was slightly over 3 acres in area.

¹⁷⁹ Instance 35, specifically,

¹⁸⁰ A governor of *Asia*, at roughly the same period, was able to call on an imperial procurator to supervise a survey of *kleroi* associated with communities in the neighborhood of *Aizanoi* (mod. Cavdarhisar in Turkey): Instance 68.

¹⁸¹ Instance 27.

is further based on a civic decree of *Capua* (which had ownership of extensive land on Crete thanks to an Augustan grant and was a party to the dispute) and on the agreement of both sides. This clearly marks the affair as a dispute, but again it is only the emperor who is represented as having rendered a verdict. It is probable that this affair did not involve a question of boundaries at all, but of title. ¹⁸² If Titus did indeed issue a verdict confirming Plotius Plebeius' claim to the land, over that of *Capua*, then the procurator need only have been instructed to ensure that markers indicating the character of the decision be placed in the correct locations.

The sixth procurator considered by Burton was Claudius Censorinus, an imperial procurator of *Thracia* in AD 184-185. Two markers attest to his activity with respect to the fields of an otherwise unknown people in the area of *Deultum* (mod. Debelt in Bulgaria):¹⁸³

Ex auctor[ita]/te Cl(audi) Cen[s]or[i]/ni proc(uratoris) A[u]g(usti) et / aes(timatione) iur[is] agr/orum B[l]aes(ianorum) / Marti[a]lis / Aug(usti) lib(ertus) po/suit

Martialis is otherwise unknown, perhaps a surveyor. The unique phrase *aes(timatione) iur[is] agrorum* (assuming the supplement is correct) may indicate that calculation of area or of value (based on productive capacity) had been performed, ¹⁸⁴ and so may indicate that the context here is a land lease (this might imply patrimonial property) or even the census. The primary reason for installing these markers may have been to record the registration, memorializing the property declaration on the ground. In any case, there is again no indication of judicial activity.

A closer examination of the evidence demonstrates that there is no conclusive proof for the notion that provincial procurators assumed an adjudicative role in the context of boundary disputes. It is equally clear, however, that they did perform important administrative functions in the context of boundary demarcations of all types. They seem to have commanded the necessary

¹⁸² See further discussion in the Catalog at Instance 27.

¹⁸³ Instance 99.

¹⁸⁴ Note Hyginus 2, discussing survey in ager arcifinius vectigalis (i.e., provincial land subject to taxation): his omnibus agris vectigal est ad modum ubertatis per singula iugera constitutum. horum aestim[at]io nequa usurpatio per falsas professiones fiat, adhibenda est mensuris diligentia = "In all these lands the rent has been established in relation to the degree of fertility in each iugerum. In the valuation of these lands, great care must be displayed in the survey to prevent any improper acquisition of land by means of false declarations" (Campbell 2000, 160.32-34, translation Campbell's). Compare the outline of a standard census declaration, transmitted via the Digest by the early third-century jurist Ulpian, in which we read: omnia ipse qui defert aestimet = "He who declares anything (for the census) must value it" (Dig. 50.15.4.pr.6, translation mine). The tax-return of Babatha (P.Babatha 16), prepared during a census of Arabia in December of AD 127, includes area measurements for each of her properties together with the associated tax liability. It verifies the reliability of the outline preserved in the Digest and helps to explain this usage of the word aestimatio. See further Elliott 1997, 11-15.

resources to see to the emplacement of authoritative inscribed markers, and (in some cases at least) to have directed surveyors.

Census Officials¹⁸⁵

The involvement of census officials in boundary disputes is very thinly attested. We have already examined a late second-century instance in which a procurator and an imperial freedman in *Thracia* may have demarcated property in conjunction with a census. ¹⁸⁶ That incident shows no sure sign of having been a dispute.

The same might be said for a demarcation carried out by the imperial legate D. Terentius Gentianus in *Macedonia* during Hadrian's reign, ¹⁸⁷ but for some suggestive information preserved in other sources. There has been debate about whether Gentianus was serving as a special governor of the province, appointed by the emperor in lieu of the proconsul. The scholarly consensus, however, is that Gentianus was directing a provincial census (he is titled *censitor prov(inciae) Mac(edoniae)* on an honorific inscription).¹⁸⁸ It was evidently in this capacity that he received a rescript of the emperor Hadrian (preserved in two collections) on the subject of punishments for removing boundary markers.¹⁸⁹ Gentianus also seems to have played a role in organizing or recording aspects of public landholding in the territory on *Battyna* in *Macedonia*, but the details are obscure.¹⁹⁰ It is tempting to try to connect this information, but the most we can reliably say is that Gentianus, probably as imperial legate for taking the census in *Macedonia*, engaged in at least one authoritative demarcation and also consulted the emperor concerning the punishments for tampering with boundary markers.

¹⁸⁵ In the present study, I have not treated the large number of boundary markers associated with the Diocletianic tax reform of AD 297. Nearly 40 of these markers have so far been published. They record the demarcation, by *censitores*, of territorial, village and field boundaries in the provinces of *Syria Coele*, *Syria Phoenice*, *Syria Palaestina* and *Arabia*. See Millar 1993, 193-198 and Apdx. A (535-544) for a summary catalog and discussion. None of them shows any sign of boundary disputes. This is also not the place for a full account of census officials and the full range of their work. For *legati censitores*, see Thomasson 1991, 85-96.

¹⁸⁶ Instance 99. See discussion in the section on Imperial Procurators, especially page 51.

¹⁸⁷ Text 93.1.

¹⁸⁸ CIL 2.1463 = ILS 1046. Consult citations in the Prosopographical Index for secondary literature.

¹⁸⁹ Texts 93.2 and 93.3.

¹⁹⁰ Rizakis 1985 185 = Woodward 1913, 337-346.17, cf. Buraselis 1993.

Another enigmatic imperial legate, C. Rutilius Gallicus, could be compared to Gentianus. He was active in North Africa in AD 74, a year for which the lacunose provincial *fasti* as yet can provide us with no proconsul. Various possibilities have been offered for his role in the province, including governor by imperial appointment in lieu of a proconsul and legate for the taking of a census. Neither proposition can be conclusively proved without the discovery of additional evidence. What is sure is that, during his tenure in North Africa, Gallicus was involved in two separate boundary demarcations: one between the cities of *Lepcis Magna* (mod. Lebda in Libya) and *Oea* (mod. Tripoli), ¹⁹¹ the other involving the path of the *Fossa Regia*, which is explicitly said to have divided the "old" province of *Africa* from the "new." Thanks to other testimony, we can connect the first affair to a violent boundary dispute, but the reasons for the second demarcation are unclear. Gallicus shared responsibility for that demarcation with the legate in command of *Legio III Augusta*, and it is thought that the boundary in question may have marked the limits of the jurisdictional authority of the legionary legate and the provincial governor. If Gallicus was in the province as a *censitor*, his boundary demarcations cannot, on present evidence, be related to that role.

Our only evidence of a dispute, possibly in the context of a census, is nonetheless problematic. In AD 211/12, the provincial governor of *Thracia* established boundary markers of the fields of the *Bendiparoi*, an otherwise unknown people in the vicinity of *Philippopolis* (mod. Plovdiv in Bulgaria). The demarcation was carried out in accordance with a "divine" (i.e., imperial) verdict (κατὰ θείαν ἀπόφασιν) and was accomplished through the agency of one Mucius Verus (διὰ Μουκίου Οὐήρου). Verus is otherwise known to have served as *censitor Thraciae*, and it is generally assumed that it was in this capacity that he assisted the governor in this demarcation. The character of the imperial verdict is wholly unrecoverable. We cannot know if the issue was one of boundaries, of tax liability (or immunity), or something else.

This review of the available evidence for the involvement of census officials in the resolution of boundary disputes confirms the observations of G. Burton that there is precious little evidence linking the resolution of boundary disputes to the fiscal operations of the state. ¹⁹⁴ This linkage is even weaker than he makes it appear, for the four examples he cites are the four instances just

¹⁹¹ Instance 21.

¹⁹² Instance 52.

¹⁹³ This evidence would seem to reinforce the general scholarly consensus that it was the provincial governor who was responsible for conducting the census in his province (Bowman 1996, 364), an assumption confirmed for *Arabia* during Hadrian's reign by the papyrus census documents (note 184, s.v. "Babatha").

¹⁹⁴ Burton 2000, 214.

discussed. Only one of them can be shown to have involved a dispute. In two of the instances, the linkage with the census is problematic (Gallicus).

The Senate

The present evidence for land disputes under the empire reveals the involvement of the Senate only twice, a sharp contrast from the experience of the Republic. ¹⁹⁵ This shift applies not just to verifiable disputes, but to all authoritative demarcations. There is no evidence for the Senate playing a role in such affairs in Italy at all. This shift is reflected starkly by the language of many Latin boundary inscriptions in which the ubiquitous Republican phrase *ex senatus consulto* is replaced by *ex auctoritate imperatoris*.

These two phrases appear together on two boundary markers recording the restoration of the *praedia publica Gortuniorum*, which had been occupied by private persons. The restoration was accomplished by a governor of *Creta et Cyrene* during the reign of Nero. We are not party to the content of the Senate's decree in this case, and can only speculate as to whether the city of *Gortyn* brought its petition first to the emperor or the Senate, or to the governor who then made application to Rome for guidance or assistance. The Senate's involvement may reflect arrangements made in light of a recent scandal recorded by Tacitus: an attempt by prominent Cyrenaicans to prosecute an imperial legate who had undertaken the restoration of Roman public lands in *Cyrenaica* under *mandata* issued by Claudius. ¹⁹⁶ The charges, brought before the Senate, had to be referred to the emperor because the Senate had not been party to the legate's *mandata*.

The Senate's other involvement was a dispute about territorial rights, not boundaries. ¹⁹⁷ During the reign of Tiberius (AD 25), *Sparta* and *Messene* renewed their perennial contest over the sanctuary of Artemis Limnatis in the *ager Denthialitis*. Tacitus, our only source for the affair, does not tell us how the case came to the Senate. If Tiberius was still attending its meetings at this period – Tacitus seems deliberately vague on this point – then it would seem less strange. In any case, the dispute was not about boundaries, per se, but about who had rights to the sanctuary. The Senate delivered a verdict in favor of *Messene*. It may have been yet another iteration of this contest that prompted a formal territorial demarcation involving the sanctuary in AD 78, partly

¹⁹⁵ Ager 1996, 26-29.

¹⁹⁶ Talbert 1984, 401-402.

¹⁹⁷ Text 10.1.

preserved in an inscription. ¹⁹⁸ There is no sign of the Senate's involvement in the later demarcation.

Emperors

Not a single imperial verdict in a boundary dispute survives. The only extant formal verdict issued by an emperor in any kind of land dispute is Domitian's decision about *subseciva* occupied by citizens of *Falerio* (mod. Falerone in Italy). The neighboring community of *Firmum* (mod. Fermo) had alleged that this occupation was illegal (i.e., that the *Falerienses* had no right to be using the *subseciva*). Domitian's verdict is complete, and he transmitted it to the *Falerienses* with a letter, which they also included when they had the verdict inscribed for public display. In general terms, the text compares favorably with the preserved texts of gubernatorial verdicts, discussed above. Domitian succinctly communicates his ruling in favor of the *Falerienses*, providing a summary of the relevant legal points and including some criticism for the *Firmani*, who he seems to feel had raised the "old dispute" frivolously. There is no reason to believe that the boundaries of the *subseciva* at *Falerio* were in question. Only the right to their *possessio* was at issue. No survey was needed. No new demarcation was required. The similarity between this verdict and the other extant boundary-dispute verdicts illustrate the ubiquitous formulae of Roman law, employed whether the magistrate executing a given case was a governor or an emperor.

An edict of the emperor Claudius shares some features with Domitian's verdict in that it responds to an inter-civic dispute, provides a background summary of the issues, and communicates the emperor's decision about the legal questions involved.²⁰⁰ It is not entirely surprising to find an emperor or a governor issuing an edict that constituted or included a verdict.²⁰¹ The choice of the edict form may have been intended to ensure wider promulgation of the result. In this case, it was particularly appropriate since Claudius needed to make new law in

¹⁹⁸ Text 10.2.

¹⁹⁹ Instance 69. This dispute may have been encouraged by a Vespasianic attempt to reclaim Roman public land that had been occupied (perhaps for generations) in abrogation of long-established law. *Subsectiva* (a term that only applied to certain areas in "divided and allocated land") that had not been explicitly granted to a colony by the colony's founder remained the property of the Roman state. See further discussion at the relevant catalog entry.

²⁰⁰ Instance 15.

²⁰¹ "... terms may overlap; even where in both Greek and Latin a precise technical term is employed, a rescript may embody a judicial decision or *decretum*, or conversely a decision of the emperor which might be appropriately termed a *constitutio* might subsequently be published and proclaimed, and hence be viewed as an edict" (Mason 1974, 126).

an area that had evidently caused significant public trouble, rather than just adjudicate a dispute in accordance with existing law. One of the issues involved in the dispute was a claim that Roman citizenship had been illegally usurped by members of communities in the area of *Tridentum* (mod. Trento). The detailed history of their rights seems to have been difficult to recover, and Claudius decided to resolve the matter once and for all by granting to any of them whose citizenship might prove to be questionable full rights of citizenship as an imperial *beneficium*.

Scholars generally assume that another aspect of this dispute touched on land and, possibly, boundaries. This speculation is based on Claudius' summary of the investigation that led up to the issuance of the edict (in reciting such provisions, the edict bears a striking similarity to the verdicts we have examined). The emperor had dispatched an *amicus* (Iulius Planta) to investigate long-standing disputes between *Como* (mod. Comum) and the *Bergalei* to the north. Claudius indicates that a number of patrimonial properties (fields and woodlands) in the area were involved, and Planta is represented as conducting his on-site investigations in consultation with imperial procurators who were based there, and elsewhere. Unlike Domitian, Claudius does not issue a final decision on these matters. Instead, he announces that he has empowered Planta to "settle and declare (*statuat pronuntietque*) the remaining issues just as he demonstrated them to [Claudius] in the memorandum he prepared." *Pronuntio* is a verb often used to indicate the formal, verbal pronouncement of a verdict in a legal case. ²⁰² Claudius here is saying that he has delegated resolution of the land disputes involving *Como* and the *Bergalei* to Planta. The emperor's *amicus* is now a *iudex datus ab imperatore*.

Something about the character of the dispute prevented Claudius from issuing the verdict himself. Other evidence has led us to conclude that Roman law required verdicts in proper boundary disputes to be issued in the presence of all parties, on the site in question. ²⁰³ It may well have been this provision – coupled with a coinciding expectation on the part of the parties involved – that necessitated delegation of the case. The emperor could not have been expected to go to the Alps in order to slog for days along the common territorial boundary between *Como* and the *Bergalei* in the company of surveyors and advocates of both sides, taking careful notes of the observations and protestations of each along the way.

The eminent practicality of delegation in boundary disputes may help to explain the relative dearth of imperial verdicts in such cases. Emperors (as opposed to governors) used judicial delegation in at least six other cases. The best-documented of these is the work of Avidius

²⁰² See further, page 21.

²⁰³ See discussion at Instance 24 and note 156.

Nigrinus on the boundaries of the sacred lands of *Delphi*.²⁰⁴ He executed the task as a legate of the emperor (a step necessary to grant him appropriate authority in the province as an extension of the emperor's *imperium*). T. Suedius Clemens, who adjudicated disputes associated with the public lands of *Pompeii*, and L. Acilius Strabo (another special legate of Claudius), who did similar work on Roman public lands in *Cyrenaica*, were both clearly delegates of the emperor as well.²⁰⁵ Q. Paconius Agrippinus, another legate who did work similar to Strabo's in *Cyrenaica*, was presumably an imperial *iudex datus* as well.²⁰⁶ Trajan employed an otherwise unknown legate named Verginius [P]ub[li]anus (or [R]ub[ri]anus) to resolve a dispute over the territorial boundary between *Doliche* and *Elimeia*, a boundary which coincided with the transition of jurisdiction between the provinces of *Achaia* and *Macedonia*.²⁰⁷ An *amicus* of Hadrian was deployed to deal with a dispute (perhaps involving boundaries) "at the river *Phalaros*" in the vicinity of *Coronea*.²⁰⁸ Yet another Hadrianic delegate carried out an ineffectual 20-year effort to resolve a territorial dispute between *Coronea* and *Thisbe*.²⁰⁹

In almost all of these cases where the emperor appointed a *iudex*, we can discern a reason why a provincial governor was not involved. For *Como* and *Bergalei*, as for the public lands of *Pompeii*, Italy had no governor. Thus, disputes between Italian communities naturally gravitated to the emperor. The proconsul of *Creta et Cyrenae* could conceivably have dealt with the Roman public lands there himself, but the project appears to have been large, requiring several years of attention and provoking significant hostility from the elites of the province. The awkwardness of the province itself, split between the island of Crete and the Libyan mainland, would have made it even more difficult for an annually-replaced proconsul to deal with the project effectively. As to the dispute between *Doliche* and *Elimeia*, neither proconsul possessed adequate jurisdiction to address the problem. *Delphi's* special status as a panhellenic sanctuary and center for imperial display and benefaction may have occasioned the imperial intervention there. All of these cases came to an emperor's attention because they could not be handled (for whatever reason) by a provincial governor. In each case, the practical and legal considerations dictated that the emperor delegate resolution to an appropriately-credentialed individual.

²⁰⁴ Instance 39. See also page 12 ff.

²⁰⁵ Clemens: Instance 65. Strabo: Instance 62.

²⁰⁶ Instance 62.

²⁰⁷ Instance 34.

²⁰⁸ Text 43.5.

²⁰⁹ Texts 43.6 to 43.9.

Only the Hadrianic cases attested from the archive wall at *Coronea* occasion surprise in this regard. Delegation of both cases to iudices is perfectly consistent. What is unexpected is the elevation of these cases to the emperor's level in the first place. Why were they not handled by the proconsul of Achaia? The answer seems to be Hadrian's presence in Greece, combined with his personal involvement in a massive engineering project in the vicinity that aimed at reclaiming unusable flood land in the vicinity of the Copais Lacus. The dispute at the river Phalaros is almost certainly related to the construction of the dikes. The dispute between Coronea and Thisbe seems to be unrelated to the Copaic project, but how could a city miss the opportunity to bring a matter of significant concern to an emperor who was so unusually present in the province, and already so unusually engaged in the affairs of their community? Hadrian's decision to engage directly with the dispute and to appoint his own *iudex* in the matter seems to have been a mistake. His *iudex* seems to have been incapable of commanding cooperation or compliance from the parties, and both cities continued to send embassies to the emperor – now no longer in the vicinity - complaining about the process and their opponents and provoking a number of imperial letters and verdicts in response. These verdicts (not extant) do not seem to have constituted declarations of the paths of the boundaries. They seem to have addressed specific complaints raised regarding abrogation of earlier decisions and interference with the *iudex's* work. Finally, Antoninus Pius (who inherited the mess) delegated resolution once and for all to the proconsul.

Four (maybe six) other documents mention imperial verdicts, but do not reproduce or characterize their content. ²¹⁰ In fact, it is not clear that any of these resembled the verdicts of governors and *iudices*, which actually included *determinationes*. These imperial verdicts may have resembled those Hadrian seems to have issued in the Coronean affair, addressing behaviors and actions of the parties, but not specifying the final boundary demarcation. Some of these verdicts may also have addressed the status of, or title to, property in question, as well as the applicability of evidence introduced or sought by the parties.

We have one case in which an emperor delegated resolution of a boundary dispute to a provincial governor. This case is attested by a letter of the emperor Vespasian to the *Vanacini* (a people on the island of Corsica). The *Vanacini* had sent an embassy to the emperor with three issues to present: praise for a former governor, confirmation of unspecified *beneficia* (originating with Augustus and retained through Galba's brief reign), and a boundary dispute with a nearby Roman *colonia* (*Mariana*). The agenda of this embassy should be compared with one also sent to

²¹⁰ Instances certainly mentioning imperial verdicts: 27, 35, 46 and 52. Questionable: Instances 1 and 53.

²¹¹ Instance 25.

Rome by the city of *Histria*. ²¹² In that instance, the Histrians petitioned the governor for permission to send the embassy on (perhaps with a diploma for use of the imperial post?) so that it could deliver its praise for the previous governor to Rome. This is just the sort of behavior a prudent governor of a province would want to encourage. That a city should choose to bundle other concerns with such an honorific project might succeed in obtaining desired constraints on whoever might ultimately judge the case. That a governor might not want to risk antagonizing provincial elites by demanding that the embassy only address the issue of praise is certainly understandable. That the *Vanacini* seem also to have sought (and won) the dispatch of a surveyor to assist in the case may further help explain the emperor's involvement. Vespasian writes in response that he has written separately to the governor (would that we had that letter too!) that he should adjudicate the matter, and that he has dispatched the surveyor.

The cases already discussed also demonstrate some of the uses to which emperors put letters in the context of boundary disputes: to communicate verdicts (but not those specifying boundaries), to signal delegation or give instruction to delegates, and to admonish or praise parties involved in the disputes. Imperial letters (properly rescripts) could also advise governors and legates on the conduct of their cases, or on specific issues of law or procedure. Nigrinus indicates that the emperor had given him specific instructions about what evidence to use in arriving at his verdict. The censitorial legate Gentianus received a response that laid out penalties for people who moved or destroyed boundary markers. The governor of *Asia*, Avidius Quietus, requested (and gained) approval of his plan for calculating the size of *kleroi* at *Aizanoi* in the absence of direct evidence for the historical arrangements. All of these examples illustrate that the primary adjudicative role in the boundary dispute remained with the governor or legate or *iudex* who was hearing the case, no matter whether it had come to him in the course of his regular duties, or had been delegated to him by an emperor.

Conclusions

The extant evidence for boundary disputes confirms our supposition that such disputes were normally handled at the lowest possible level. There is no epigraphic evidence of which I am aware for such disputes within a single community.²¹⁵ These were presumably handled according

²¹² Text 16.5.

²¹³ Texts 93.2 and 93.3.

²¹⁴ Texts 68.1 and 68.2.

²¹⁵ This apart from the Herculaneum tablets, which record resolution of a private boundary dispute through an extra-judicial process of binding arbitration. See note 156.

to local law by local magistrates. Disputes between communities were handled, whenever possible, by the provincial governor. The provincial governor had two procedural mechanisms available to him for the adjudication of such cases, the *cognitio* procedure (in which he judged the case himself) and the *iudex datus* procedure (in which adjudication was delegated to someone else). Governors seem to have employed both methods. The particularities of individual cases, combined with other demands on a governor's time and with the availability of suitable *iudices*, must have influenced these decisions. A limiting factor was an apparent requirement of Roman law to deliver verdicts personally and on-site in cases that required the demarcation or clarification of boundaries.

Sometimes it was not possible for a governor to judge a boundary dispute. This might occur because the boundary in question coincided with a provincial boundary. It might also occur when the parties to the dispute were citizens (or cities) of different provinces for some other reason, as might happen when a city owned property in another province. The complexity of a case might also require several years of focused attention that would divert a governor from other important tasks or be impossible given the regular length of his tenure. In these circumstances the case rose to the emperor's level, who then delegated the resolution of a dispute to a *iudex* of his choosing. A case might also come to the emperor's attention in a direct petition from a city, a process that might be encouraged on the rare occasions when an emperor traveled in the provinces. In these circumstances, the emperor might return the case to the appropriate governor, or he might choose to appoint a special *iudex*. In language, and in general procedure, the process of delegation by the emperor mirrors the use of the *iudex datus* procedure by governors. The language and forms of Roman law seem to have shaped this aspect of public administration.

CHAPTER 4

EVIDENTIARY CATALOG²¹⁶

Throughout the presentation that follows, reference will be made to a variety of different types of disputes. These distinctions are provided for us through the works of the *corpus agrimensorum*. It is clear from these works that disputes about different aspects of land tenure and demarcations were viewed differently by the legal (i.e., Roman administrative) and professional (i.e., surveyors) men who were involved in their resolution. These distinctions forced variations in procedure and strategy on the parties to such disputes as well. The most important categories of land dispute for our purposes, as outlined by Iulius Frontinus, are as follows:²¹⁷

- Various disputes relating to the location and validity of boundary markers, transgression
 of boundary lines or paths, or the exact location and extent of imprecisely surveyed or
 defined areas:
 - controversia de positione terminorum: a dispute about the position of boundary markers
 - controversia de rigore: a dispute about a straight line between two or more boundary markers
 - o controversia de fine: a dispute about the path of a boundary other than a rigor
 - o *controversia de loco:* a dispute about site, i.e., one in which the disagreement over the line of any boundary extends well beyond the line as surveyed, or when a preexisting boundary cannot be reliably established on the ground
 - o controversia de modo: a dispute about area, i.e., a dispute based on a claim to a certain area of land, arising when the terms of title or ownership do not stipulate the precise boundaries of the plot in question
- Disputes concerning the control or ownership of land:
 - o *controversia de proprietate:* a dispute about ownership, and therefore dealing more with the validity of title than with the location, extent or boundaries of the property

 $^{^{216}}$ Decisions of inclusion, as well as the conventions of presentation, affecting this catalog are detailed on page 7.

²¹⁷ Campbell 2000, 4-9.

- o *controversia de possessione:* a dispute about possession, similar to the *controversia de proprietate* but involving the acquisition of property by means other than title
- o *controversia de iure territorii:* a dispute about the territorial jurisdiction associated with a given community
- o *controversia de subsecivis:* a dispute about *subseciva*, i.e., land left over and not allocated to individuals or communities within the survey area associated with a colonial or viritane distribution. Such land, unless other arrangements were made, remained public land of the Roman state. Therefore, encroachment on, or exploitation of, it was illegal.
- o *controversia de locis publicis:* a dispute about public places, i.e., public lands of the Roman state or of colonies or *municipia*
- o controversia de itineribus: a dispute about rights of way

The agrimensores were aware that these categories were not rigid. A single dispute could manifest several of these characteristics at once, or it could emerge in the course of investigation that the real matter at stake was not what had appeared to be the case at the beginning. So, for example, a dispute about occupation of public lands could evolve into a dispute about the location of a boundary, or a dispute about site, when an individual claimed the area he was occupying did not fall within the confines of the public land in question. ²¹⁸

²¹⁸ Campbell 2000, 22-27.

Disputes Involving Boundaries

1. Q. Articuleius Regulus Adjudicates a Boundary Dispute in Lusitania

Burton 2000, no. 5

Date(s): 2 BC - AD 14

Perhaps the earliest imperial-era **boundary dispute** on record.

This fragmentary inscription from modern Guardão-Caramulo in Portugal can be dated to between 2 BC and AD 14 on the basis of Augustus' 13th consulate and the grant of tribunician power. Reported without context or commentary in FA by F. Russell Cortez in 1951 (with photo), this inscription would seem to belong to a peculiar class of documents known only from the Iberian peninsula, the *termini Augustales*. The block as photographed has been cut down to a rectangular shape with the resulting loss of the right-hand ends of all lines. No dimensions or information about the matrix were published.

Of the six published *termini Augustales* that date to the Augustan age, this is the only one to mention an individual other than the emperor, and the only one to provide sure evidence that it was placed in accordance with a verdict in a dispute (*causa cognit[a ---*).²²¹ The individual in question (on Alföldy's argument and reconstruction) is Q. Articule[ius Regulus ---]. Known otherwise (and his name in full) only from a laconic cursus inscription from *Canusium* (mod. Canosa di Puglia in Italy), his offices there are listed as praetor, proconsul and legate of the

²¹⁹ Alföldy 1969, 134.

²²⁰ In this case, the distinctive phrase is partly reconstructed: [--- terminos] August(ales) ... The exact nature and purport of these markers, which present a distinctive appearance and employ distinctive terminology, are a matter of speculation. The majority of them do not provide any definite testimony for boundary disputes. For more on the termini Augustales, see Alarcáo 1976, 175-176 with AE 1976.272 and Le Roux 1994. Campbell 1996, 96-97 equates the termini Augustales with the distinctive centurial markers associated with Augustus (lapides Augustei) mentioned in the Liber Coloniarum (Campbell 2000, 190.5-20). This is surely an error, for the Liber Coloniarum describes these as "round and made from flint or volcanic stone ... the total height is 4 feet" (Ibid.). The termini Augustales are generally made from local stone and have a rectangular shape. None of them carries centurial grid designations. Many separate the prata of legions or cohorts from communities, others separate the territoria of two or more communities.

²²¹ See discussion of this terminology on page 29. For a convenient list of those *termini Augustales* that do not relate to the *prata* of legions, see Le Roux 1994, 48-51, with additional literature.

emperor Augustus.²²² If we follow Alföldy, this inscription would place his service as legate in *Lusitania* for at least part of this period.

The overall purport of this document is obscure. It seems at least that – in the context of whatever project, practice or policy led to the deployment of the various termini Augustales – a boundary dispute arose or was addressed by the imperial authority in the province. The appearance of the emperor's titulature in what appears to be the nominative case certainly seems to imply the emperor's direct involvement in the affair, although this argument hinges solely on the word *Caesar*, where it is possible that an inflected ending has been dropped. If the emperor's name had appeared in the ablative, we might be looking at a date formula or a statement of the authority under which the case was handled. What remains of the second name (which we restore on the model of other boundary markers as Regulus' and in the ablative) also lacks any inflected endings. To make matters worse, we lack both the main verb and any participle that might agree with one or the other name in an oblique case. Consequently, there is little point in speculating on details of individual roles. On the model of our more complete texts that mention verdicts, we may hypothesize that, as legate in *Lusitania*, Regulus was indeed the Roman official who heard this case and issued the verdict, possibly having consulted the emperor or having received relevant general directions from him.²²³ Without further evidence or the recovery and publication of the missing portion of this inscription, we cannot responsibly say more.

1.1. *EDH HD017849; Le Roux 1994, 49.6; Alföldy 1969, 134; AE 1954.88; Russell Cortez 1951, 332.4419.²²⁴

Imp(erator) Caesar Div[i f(ilius) Augustus co(n)s(ul)] / XIII trib(unicia) potest[ate --- terminos] / August(ales) inter [--- et ---]/ie(n)ses Q(uinto) Artic(u)le[io Regulo leg(ato) ---] / causa cognit[a ---]

The emperor Caesar (Augustus), (son of) the god, (consul) 13 times, (holding) the tribunician power ... (established?) the *termini Augustales* between (? and ?) with(?) Quintus Articuleius (Regulus, legate doing something) ... the case having been heard ...

²²² CIL 9.331 = ERCanosa 22.

²²³ Le Roux 1994, 40 argues sensibly that Regulus' role should be seen as a routine mission in context of his command in the province, and not a special mission, i.e., he was not a special legate of the emperor like Nigrinus, but a provincial governor dealing with a boundary dispute in the course of his regular duties.

²²⁴ All texts subsequently published follow Russell Cortez's defective reading, with the exception of that produced by A. Scheithauer for the EDH. This superior text corrects the misreading of the final word **COGIVIT[* --- to *cognit[a* ---, which is surely correct. The lapicide failed to connect the diagonal and final upward stroke of the N with the initial downward stroke, possibly having misread his source text. I produce the EDH text here, but for one modification. I have adopted the supplement [--- et ---]ie(n)ses in ll. 3-4, following Alföldy 1969, 134. The lacuna must have contained the names of two parties, otherwise there would have been no call to employ the preposition *inter*.

2. The Koinon of Thessaly Assists a Roman Proconsul

Burton 2000, no. 33

Date(s): AD 11-35

A **boundary dispute** (τ ην ... υπόθεσιν, ην εἶχον περὶ ὅρων) that required a predetermination as to the area of land that belonged to each party.

A badly damaged inscription from *Kierion* (mod. Pyrgos Kieriou in Greece) would seem to be the remnants of either an inscribed civic archive (analogous to the extensive archive wall from *Coronea*) or a more specifically focused evidentiary dossier (like the boundary stelae from *Histria*).²²⁵ This inscription transmits to us the lacunose texts of three letters, all apparently related to a boundary dispute between the communities of *Kierion* and *Metropolis* (mod. Palaiokastro Georgikon), both situated in the fertile Thessalian plains of mainland Greece through which the various tributaries feeding the *Peneios* river flow.

The inscription is too badly damaged to hazard a translation of the letters, but a significant amount of information can nonetheless be gleaned from it.²²⁶

The first letter (Text 2.1) is the most damaged of the three. It mentions a quarrel (l. 1), votes cast by secret ballot under oath (l. 2), and a verdict ($\kappa\rho$ i σ i ς) resulting from the voting in which some quantity of something (presumably some measure of land) is declared to be Kierian, thirty-one measures to be Metropoleian, and five to belong to neither party (ll. 5-6).²²⁷

The second letter (Text 2.2) clarifies the situation for us somewhat. It is addressed to one [---] paios Sabeinos, legate of Tiberius Caesar. This individual is surely C. Poppaeus Sabinus, governor of the combined provinces of *Moesia*, *Achaia* and *Macedonia* between AD 11 and 35, hence the date range for this dossier. The name of the letter's author has not survived. He was perhaps [--- $\gamma \rho \alpha \mu \mu \alpha \tau \epsilon]\dot{v}_{\zeta} \tau \hat{\omega} v \sigma v \epsilon \delta \rho \hat{\omega} v$ (secretary of the *synedrion*, the governing council of the Thessalian *koinon*). He indicates that Sabinus had written about the boundary dispute between the *Metropoleitai* and the (we supply on the basis of lines below) *Kierieis* (II. 2-3). It emerges that

²²⁵ See Texts 43.6 - 43.9 and Instance 16, respectively.

²²⁶ In the texts that follow this description, I have chosen not to reproduce the majority of the supplements printed in IG and reproduced in most subsequent editions. Many of them are wholly speculative, and sometimes give the careless reader the impression that there is more to the letter than the surviving words would indicate. I have retained those supplements that are clearly part of a formulaic phrase repeated elsewhere intact in the dossier.

²²⁷ Who might have owned or controlled the remaining land is utterly obscure.

Sabinus' letter²²⁸ had directed a judicial investigation ($\kappa\rho(\sigma\iota\varsigma)$) on some unspecified issues, clearly relevant to the boundary dispute, which Sabinus had discussed in person with the author in *Aidepsos* on an earlier occasion (Il. 3-4). The author seems to say that he had put those questions to the council in *Larissa*(?) on a particular day, that both parties had made presentations of their positions, and a verdict ($\kappa\rho(\sigma\iota\varsigma)$ had been reached by secret ballot under oath. The verdict seems to match that mentioned in Text 2.1: two-hundred and ninety-(eight) measures were declared Kierieisan, (thirty)-one measures (Metropoleian), and five measures unassigned.

The third letter (Text 2.3) is also addressed to Sabinus, this time by an individual whose name is lost but whose title appears to have been [--- $\sigma\tau\rho\alpha\tau\eta$] $\gamma\dot{o}\zeta$ Θε $\sigma\sigma\alpha\lambda\dot{\omega}\nu$ (general of the Thessalians). He indicates that Sabinus had written to him and to some other group of people, probably the council (II. 2-3). He uses nearly the same phrase as Text 2.2 to say that the subject of Sabinus' letter had been the boundary dispute between the (*Kierieis*) and the *Metropoleitai* (I. 3). He reports the same verdict as Texts 2.1 and 2.2, reached under oath by secret ballot, namely that two hundred ninety-eight measures were (Kierieisan), some lost number were Metropoleitan, and five (were unclaimed) (II. 4-7). The verdict (κρίσις) is mentioned in the penultimate line, in what may be a statement of hope that the verdict will be acceptable to Sabinus.

These documents are important to the present study for several reasons. First, they constitute one of the earliest pieces of documentary evidence for a boundary dispute under the empire. But, according to most commentators, they reflect a pre-imperial approach to provincial boundary disputes in which a Roman magistrate (or the Senate), petitioned by the parties to an inter-civic dispute, delegated the case to another state or body for resolution. None of the other boundary disputes in the imperial period demonstrates the use of third-party arbitration. A transition must have occurred from Rome's use of third-party arbitration (so evident in Republican-era documents) to the range of procedures we see in the evidence collected here: governors using the *cognitio* procedure as well as *iudices dati*, and the emperor employing special legates for those cases where a governor's jurisdiction was inadequate or superseded by his own. That Sabinus' apparent use of third-party arbitration should be roughly contemporaneous with evidence from elsewhere showing the standard imperial approaches already in use may mark the reigns of Augustus and Tiberius as the transitional period.

²²⁸ This letter is not extant. It cannot be the fragmentary Text 2.1 which also mentions the detailed terms of the verdict and therefore must postdate the council's decision.

²²⁹ The process of third-party arbitration was well established amongst Greek states. Rome became an increasingly active player in this system as its interests in the east expanded, although the Republican Senate frequently chose to delegate arbitrations others requested of it to third parties, often after imposing limitations on the nature of the question to be decided (Ager 1989 passim and for Rome's role especially, pp. 26-29).

A note of caution is in order, however. The letters in this dossier make it very clear that the dispute was about boundaries (τὴν Κιεριέων τε καὶ Μητροπολειτῶν ὑπόθεσιν, ἣν εἶχον περὶ ὄρων). Nonetheless, the verdict of the council, reiterated in all three letters, does not seem to have addressed the location or nature of the boundaries themselves. Rather, Sabinus seems to have asked the members of the council to rule on a particular question: how much land in a particular area belonged to each party (or neither). In this light, the present dispute takes on more than a passing resemblance to two other disputes that occurred during imperial times: the protracted second-century contest between *Coronea* and *Thisbe* over pasturage in an alpine meadow, and a similarly lengthy case involving *Daulis* and a private individual.²³⁰ In both of these cases, each of the parties was judged to have a rightful claim to a portion of a particular area. Subsequent to that decision, a survey and allocation were necessary to apportion the appropriate amounts to each party and to clearly delineate the boundaries that, evidently, could not be reconstructed with certainty from the evidence available. We can imagine, therefore, that Sabinus, upon receipt of the council's collective opinion on apportionment, would have issued his own orders – perhaps in the form of a verdict – for the survey and marking of borders that fairly reflected each party's share.

We may carry this line of speculation one step further. While it was the case that federal states in Hellenistic Greece were generally involved in most arbitrations between their members, ²³¹ Sabinus may have felt that the Thessalian council had particular reason to know about the relative rights of these two cities in the area in question. We cannot prove this hypothesis from the surviving evidence, but like so many other attested cases, this one may have had a long pedigree, stretching back to land distribution or another settlement, perhaps adjudicated by the council itself at an earlier date. Under circumstances like these it would have made practical sense for a busy governor to call for verification from a body whose earlier ruling one or the other party in a dispute was presenting as evidence in a case before him.

Whatever the circumstances of the delegation and the scope of the council's involvement, it is clear that the authority for the resolution of the dispute lay with Sabinus. This circumstance follows the model of all of our other evidence. There is no indication that any provincial council had autonomous authority in resolving territorial disputes during the imperial age.²³²

²³⁰ Instances 43 and 42.

²³¹ Ager 1989, 22-26.

²³² Burton 2000, 204.

2.1. IThess 1.13a; Ehrenberg 1955 321a; IG 9.2.261(I). See also: Ager 1989, 519.25.

[- 16 - διαφ]έρωνται πρὸς ἀ[λλή]λας οὐ / [- 18 -]ΙΗ αἰτεῖται, ὅπως μεθ' ὅρκου κρυφα[ί]/[ως - 14 - Μη]τροπολειτῶν κρινόντων, βραβεύον/[τος - 14 - τ]ε παρ' ὑμεῖν ὀφίλοντος, καθ' ἣν καὶ τῆς κρίς[ε]/[ως - 16 -]ν ἠνέχθησαν μεθ' ὅρκου ψῆφοι Κιεριεῦς[ι] / [διακόσιαι ἐνενήκοντα ὀκτώ, Μητρο]πολείταις τριάκοντα μία, ἄκυροι πέντε.

2.2. IThess 1.13b; Ehrenberg 1955 321b; IG 9.2.261(II).

[νας. Γαΐω Ποπ]παίω Σαβείνω πρεσβευτή Τιβερίου Καίσαρ[ος] / [- 8 - γραμματε]ὺς τῶν συνέδρων πλεῖστα χαίρειν. ἔγρα/[ψας ἡμῖν τὴν Κιεριέων καὶ Μητ]ροπολειτῶν ὑπόθεσιν ἡν εἶχον περὶ ὅρων, ὅ/[τι – 14 -]Σ κρῖναι οὺς καὶ ἐδήλους μοι κατ' ὄψιν ἐν Αἰδε/[ψῷ – 14 - ἀ]ναγαγόντα προθεῖναι τὴν κρίσιν ἐν τῷ ἐνε/⁵[στηκότι – 8 - ἐν Λα]ρίση συνεδρίω τῷ ἐν τῷ Θύω μηνί συνελθόντ<ω>[ν] / [- 10 - τ]ὴν κρίσιν καὶ λόγων ὑπ' αὐτῶν γενομένων, ἐνηνέ/[χθαι τὰς ψήφους κρυφαίως μεθ'] ὅρκου Κιεριεῦσιν μὲν διακοσίας ἐνενήκον[τα] / [ὀκτώ, Μητροπολείταις δὲ τριάκοντ]α μίαν, ἀκύρους πέντε. ταῦτα ἐπιτήδειον ἡγη/[σάμεθα? - 8 -]

2.3. IThess 1.13.c; Ehrenberg 1955 321c; *IG 9.2.261.

[--- Γαΐω Ποπ]παίω Σαβείνω πρεσβευτῆ Τιβερίου Καίσα[ρος] / [-12 - στρατη]γὸς Θεσσαλῶν χαίρειν' ἔγραψας κἀμοὶ καὶ το[ῖς] / [συνέδροις τὴν Κιεριέων τε καὶ] Μητροπολειτῶν ὑπόθεσιν, ἣν εἶχον περὶ ὅρων, ὅ/[τι τὸ συνέδριον τὴν περὶ τούτων] διάγνωσιν ἀνέπεμψεν. γείνωσκε οὖν εἰρημ[έ]/[νους τοὺς συνέδρους τοὺς ἐν τῷ Θύ]ῳ μηνὶ καὶ ἐνηνεγμένας μεθ' ὅρκου κρυφαί/⁵[ως τὰς ψήφους Κιεριεῦσιν] μὲν διακοσίας ἐνενήκοντα ὀκτώ, Μητρ[ο]/[πολείταις δὲ τριάκοντα μίαν, ἀκύρους π]ἐντε' ταῦτα οὖν ἐπιτήδειον ἡγης[ά]/[μεθα γράψαι, ὅπως -11 -]ΟΝ τὸ βέβαιον ἡ κρίσις ὑπό σου λάβῃ ἐπι / [-20 -] ναcat

3. Restoration of Boundaries or Boundary Markers between *Corinium* and *Nedinum*

Burton 2000, nos. 9 and 16

Date(s): AD 14-20, restored between AD 62-68

The epigraphic record of *Dalmatia* preserves several texts relating to the territorial boundary between *Nedinum* (mod. Nadin in Croatia) and *Corinium* (mod. Karin). Despite problems in the modern transmission and publication of these texts, we can be confident in identifying here a restoration of boundaries or boundary markers (*restituti* with no antecedent expressed) that had been established according to the edict of an earlier governor.

The two most complete texts date to the tenure of A. Ducenius Geminus, who served as governor sometime between AD 62 and 68. One of these texts (Text 3.5) was found at Popović

(Benkovac). It records the restoration of at least a portion of the boundary as previously demarcated according to an edict of the governor P. Cornelius Dolabella (c. AD 14-20).²³³

Another text, preserved only in a Renaissance manuscript, apparently also records Geminus' use of the same two centurions to establish boundaries between *Nedinum* and *Corinium*, but makes no mention of Dolabella's earlier ruling (Text 3.1). There is some uncertainty on the part of modern scholars as to whether this reported document should be connected to a fragmentary version of what appears to be the same text, discovered in Pridraga (Zadar). It was first published in 1902 and was still extant as late as the 1970s (Text 3.2). If we accept the manuscript testimony as accurate (the extant inscribed document does not preserve the names of the parties to the dispute), then the omission of any mention of Dolabella's earlier demarcation seems odd. Did Dolabella resolve a dispute between the two cities regarding only a portion of their common border, or had some subsequent activity rendered his decision obsolete for a portion of the boundary? The second text does indicate that new measurements of some kind were required under Geminus; there is no such mention of direct survey in the first text. It is of course equally possible that the manuscript version incorporates antiquarian embellishment on the preserved text now at Pridraga, and the text should be seen as representing a different settlement involving the same Roman personnel, but between two parties whose names are irrevocably lost, and who may have been one or the other, or neither of the *Neditae* and the *Corinienses*.

Two other inscriptions, one fragmentary and the other laconic, are often cited together with the decisions of Geminus, but there is no certainty that they are related to this incident (Texts 3.4 and 3.3). Neither one provides any useful information about Roman administrative practice with respect to boundary disputes.

3.1. *Wilkes 1974, 260 no. 7; CIL 3.2883.

Fin[i]s inter Neditas et Corinienses / derectus mensuris actis iussu / [A(uli) Du]ceni Gemini leg(ati) per A(ulum) Resium / Maximum (centurionem) legionis XI principem / posteriorem c(oh)o[r(tis)] I et per [Q(uintum)] A[e]butium / Liberalem (centurionem) eiusdem leg(ionis) (h)astatum / posteriorem c(o)hor(tis) I.

The boundary between the *Neditae* and the *Corinienses* drawn, measurements having been made, by order of Aulus Ducenius Geminus, legate, through Aulus Resius Maximus, centurion of *Legio XI*, *princeps posterior* of Cohors I and through Quintus Aebutius Liberalis, centurion of the same legion, *hastatus posterior* of Cohors I.

²³³ On the use of an edict, see page 32.

3.2. *ILJug 3.2879; Wilkes 1974, 260-262 no. 8; CIL 3.15045/2.

-]/[iussu A. Duceni Gem]ini [leg(ati)]/ per A. Resium [Maximum (centurionem)]/[le]g(ionis) XI prin(cipem) pos[terio]/rem c(o)hor(tis) I et Q. [Ae]/⁵butium Liberal[em]/(centurionem) leg(ionis) eiusdem (h)a[sta]/[t]um posteriorem.

... by order of Aulus Ducenius Geminus, legate, through Aulus Resius Maximus, centurion of *Legio XI*, *princeps posterior* of *Cohors I* and Quintus Aebutius Liberalis, centurion of the same legion, *hastatus posterior*.

3.3. *ILJug 3.2866; Wilkes 1974, 260 no. 5.

finis Nediti

Boundary of the *Nediti*(?).

3.4. *ILJug 3.2867.

3.5. *ILJug 3.2871; Wilkes 1974, 260 no. 6; ILS 5953; Betz 1938, 30 n. 1 and 32 n. 7; CIL 3.9973 + p. 2273.

[E]x edictu (!) P. Cor/neli Dolabele (!) leg(ati) / pro praetore determinav[it] / S. Titius Geminus / pri(nceps) posterior leg(ionis) / VII inter Neditas / et Corinienses / restituti iussu A. / Duceni Gemini / leg(ati) Augusti pr(o) p[r(aetore)] / Per A. Resium [M]a/ximum (centurionem) leg(ionis) XI / C(laudiae) p(iae) f(idelis) pr(incipem) posterior(em) / et Q. Aebutium / Liberalem (h)astat(um) / Posteriore(m) leg(ionis) / eiusdem

According to the edict of Publius Cornelius Dolabela, propraetorian imperial legate: Sextus Titius Geminus, *princeps posterior* of *Legio VII* demarcated the boundary (*terminavit*) between the *Neditae* and the *Corinienses*. (Boundary markers?) restored by order of A. Ducenius Geminus, propraetorian imperial legate, through Aulus Resius Maximus, centurion of *Legio XI Claudia Pia Fidelis*, *princeps posterior* and Quintus Aebutius Liberalis, *hastatus posterior* of the same legion.

4. Boundary Dispute between Vegium and Ortopla

Burton 2000, no. 10

Date(s): AD 14-20

A single, lacunose boundary marker probably attests to a **boundary dispute** between the communities of *Vegium* (mod. Karlobad in Croatia) and *Ortopla* (mod. Stinica). The marker was placed "in accordance with the verdict" (*ex decreto*) of the provincial governor.

4.1. *Wilkes 1974, 258 no. 1.

 $Ex dec[r(eto)] / P(ubli) Cornel[i] / Do{l}label<l>ae / leg(ati) pr(o) pra[et(ore)] / [-----] / int(er) Beg(i?) os et Ortopli[n(os)].$

According to the verdict of Publius Cornelius Dolabella, propraetorian legate ... between the *Begi* and the *Ortoplini*.

5. Verdict of P. Cornelius Dolabella

Date(s): AD 14-20

This fragmentary inscription, probably a boundary marker, attests to a verdict (*decretum*) of the governor P. Cornelius Dolabella. The text mentions a boundary (*finis*), and so we may confidently connect this text to a **boundary dispute**, but the names of the parties to the case have been lost. Compare the better attested disputes also adjudicated by Dolabella: Instance 3 and 4.

5.1. *EDH HD026691; ILJug 3.2872; Wilkes 1974, 259 no. 3; AE 1910.80.

[E]x dec[reto] / [P(ubli)] Cornel[i] / [Do]label(lae) le[g(ati) pro] / [pr(aetore)] finis int[er] / [---

According to the verdict of Publius Cornelius Dolabela, propraetorian legate: boundary between ...

6. Boundary Dispute Involving the Sal(tus) te(rritorii) Ta(rionae)

Date(s): AD 14-20

Two recently published rupestral boundary inscriptions from Croatia attest to a **boundary dispute** involving (probably) a saltus belonging to the territory of the previously unlocatable *castellum Tariona* (now apparently to be located in the vicinity of *Tragurium*, mod. Trogir). The familiar phrase *ex de(creto)* signals a dispute resolved by a verdict of a Roman official. P. Cornelius Dolabella (imperial legate governing the province of *Dalmatia*, AD 14-20) is by far the most heavily attested governor in the boundary inscriptions (see his entry in the Prosopographical Index).

6.1. AE 1995.1229.²³⁵

F(inis) n(ovus) sa(ltus) t(erritorii) Tar(ionae) ex de(creto) P(ubli) Cor(neli) Dol(abellae)

²³⁴ Plin. NH 3.141. Not in BAtlas. NB: this observation, and the rest of my presentation here, depends primarily on the entries in AE 1995. I have not had the opportunity to review the *editio princeps* myself, which is cited in AE as I. Babić, *Arheološki radovi i rasprave* 12 (1995), 57-70.

²³⁵ The editor has also suggested an alternate set of readings and supplements: F(inis) n(ovus) ca[s]t(elli) Tar(ionae) ex de(creto) P. Cor(neli) Dol(abellae). The 'newness' of the boundary is an interesting, and unparalleled, specification. This might indicate that the conditions of the dispute or the lack of a pre-existing survey necessitated a new survey with a view toward creating a new boundary in order to implement the governor's verdict.

New boundary of the saltus of the territory of *Tariona*, according to the verdict of Publius Cornelius Dolabella.

6.2. *AE 1995.1230.²³⁶

Sal(tus) te(rritorii) Ta(rionae) ex d(ecreto) Dol(abellae) leg(ati)

Saltus of the territory of *Tariona*, according to the verdict of Dolabella, legate.

7. Boundary Dispute between *Nerate* and *Oneum*

Burton 2000, no. 12

Date(s): AD 23-37

Sometime between AD 23 and 37, Lucius Volusius Saturninus, the governor of *Dalmatia*, delivered a verdict (*sententia*) in a **boundary dispute** between the communities of *Nerate* (an unlocated site probably near *Salona*, mod. Solin in Croatia) and *Oneum* (mod. Omiš).

Saturninus judged the case himself, aided by his *consilium*, and delegated the placement of boundary markers to a military officer, as indicated by the text on the best preserved of the surviving rectangular *termini* (Text 7.1). Remnants of the same text probably appear on two other surviving markers: Text 7.2 and Text 7.3. The latter may testify to a separate incident as it was found significantly further from *Salona* than the other two; its fragmentary nature precludes certainty, for the names of the parties to the dispute are lost. See Wilkes 1974, nos. 13, 17 and 18 for detailed information on findspots and modern whereabouts.

7.1. *Wilkes 1974, 265 no. 17; ILS 5948; Betz 1938, 30-31 no. 3; *AE 1890.12; CIL 3.8472.

L(ucius) Trebius / Secundus pr/aefectus castr/orum inter / Onastinos et /5 Narestinos ter/minos pos(u)it ius/su L(uci) Volusi Satu/rni(ni) leg(ati) pro pr/aetore [[C(ai) Ca[es]]]/ 10 [[[ari]s Au[g]u[sti]] G/[[e]rmanici] ex / senten{ten}ti/a quam iis ath/i $^-$ b $^-$ ito consi/ 15 lio dixit

Lucius Trebius Secundus, *praefectus castrorum* placed boundary markers between the *Onastini* and the *Narestini* by order of Lucius Volusius Saturninus, propraetorian imperial legate of Gaius Caesar Augustus Germanicus (Caligula), according to the verdict that he delivered, having consulted his *consilium*.

7.2. *Wilkes 1974, 266 no. 18; *AE 1890.13; CIL 3.8473.

---] ex se[ntentia] / quem is adhib[ito con]/silio dixit

²³⁶ The readings and supplements are supported by interpuncts, and by the ligature of the following groups of letters, in order: AL, TE, TA.

... according to the decision which he delivered to them after consulting his *consilium*.

7.3. *Wilkes 1974, 263-264 no. 13; CIL 3.9833.

---] Volus[io] / [Satu]rnino [leg(ato)] / [pro] pr(aetore) C(ai) C[aesaris] / [Aug(usti) G]erm[anici --

8. Boundary Dispute between Nedinum and an Unknown Party

Burton 2000, no. 11

Date(s): 23-37 AD

This fragmentary inscription attests to a **boundary dispute** between *Nedinum* (mod. Nedim in Croatia) and another community whose name is lost. The dispute was settled by a centurion who had been appointed as *iudex* by the provincial governor. The placement of the phrase *ex* $convent/[ione\ eo]r(um)$ would seem to indicate that the *Neditae* and their opponents had agreed upon the appointment of the *iudex*.²³⁷

This marker was discovered, not *in situ*, in the modern community of Karin (ancient *Corinium*) and so may constitute another chapter in the repeated boundary difficulties between these two communities that are attested by the epigraphy.²³⁸

8.1. *Wilkes 1974, 259-260 no. 4; *CIL 3.2882.

L[....] / [...]nus Laco / [cent(urio)? l]eg(ionis) VII iudex / [... datu]s ex convent/[ione eo]r(um) ab L Volus[io] / Saturnino, le[g(ato)] / [p]ro pr(aetore) C(ai) Caesari[s] / [A]ugusti Germ[a]/[ni]ci inter Ned[i/tas et -----]

... Laco, centurion(?) of *Legio VII*, *iudex* appointed, according to the agreement of both parties, by Lucius Volusius Saturninus, propraetorian imperial legate of Caius Caesar Augustus Germanicus (**Caligula**), between the *Neditae* and ...

9. Iudices dati in Dalmatia

Burton 2000, no. 13

Date(s): AD 23-37

²³⁷ Compare Instance 9.

²³⁸ Instance 3.

This fragmentary inscription found at Razvadje in Croatia attests to a **boundary dispute** between two parties whose names are lost. The dispute was settled by a board of at least three centurions drawn from two separate legions who had been appointed as *iudices* by the provincial governor. The placement of the phrase *ex* [*c*]*omventione* would seem to indicate that the parties to the dispute had agreed upon the appointment of the *iudices*.²³⁹

9.1. *Wilkes 1974, 263 no. 12; ILS 5949; CIL 3.9832.

[--- Vib]ullius T[..] / [.. le]g(ionis) VII et L. Sa[l]/[vius], M. Sueto Ce[nt]uriones leg(ionis) Ce[nt] / [iu]dices dati ex / [c]omventione (sic) a /5 [L. V]olusio Ce[nt] / [c(ai)] Caesaris Ce[nt] / [Ger]manici inter / ...

... Vibullius ... of *Legio VII* and Lucius Salvius and Marcus Sueto, centurions of *Legio XI*, judges appointed according to the agreement by Lucius Volusius Saturninus, propraetorian legate of Gaius Caesar Augustus Germanicus (**Caligula**) between ...

10. Disputes Related to the Temple of Artemis Limnatis

Burton 2000, nos. 32 and 66

Date(s): AD 25; AD 78

A recurring dispute over territorial control (*controversia de iure territorii*) that eventually required the restoration of boundaries, therefore probably also a **boundary dispute**.

According to the testimony of Tacitus, the year AD 25 saw the appearance in Rome of delegations from *Sparta* and *Messene*, each seeking control of the extra-urban sanctuary of Artemis Limnatis, located on the west slope of the *Taygetos* mountains along the drainage of the *Choireios* (mod. Sandava) river in Greece. (Text 10.1). It emerges from the terse Tacitean précis of the hearing that control of the sanctuary – and more broadly the *ager Denthaliatis* that contained it – had been an issue between the two cities since at least the denouement of Philip's victory at *Chaeronea* in 338 BC. Philip had removed the sanctuary from Spartan control and given it to *Messene*. A subsequent verdict of a "King Antigonos" (presumably Antigonos III Doson, c. 222 BC) confirmed Messenian control, ²⁴¹ as did a verdict of Lucius Mummius, apparently in the aftermath of the revolt of the Achaean Confederacy and the sack of Corinth (146 BC). ²⁴² In both of these cases, it must have been the Spartans who raised the issue with the new

²³⁹ Compare to Instance 8.

²⁴⁰ Ager 1989 no. 2 = Piccirilli 1973 no. 61.

²⁴¹ Ager 1989 no. 50.

²⁴² Ager 1989 no. 150.

rulers.²⁴³ Mummius' arrangements were confirmed c. 138 BC in a ruling by a panel of judges in an arbitration requested by the Spartans and delegated by the Roman Senate to the city of *Miletos*.²⁴⁴ The Spartan envoys of Tiberius' day also cited an undated verdict of Julius Caesar and Marcus Antonius, which returned the sanctuary to them. According to the Messenian presentation, this verdict was overturned by a governor of *Achaia* under Augustus or Tiberius, one Atidius Geminus (otherwise unknown to us).

It is unclear from Tacitus' prose whether this case was heard before the emperor or before the Senate. The entire sequence is presented in almost bullet form, entirely in indirect discourse.²⁴⁵

Nothing in the presentation of Tacitus, nor in the record of earlier cases, would lead us to classify this incident as a boundary dispute; however, a fragmentary inscription from the area of *Messene* preserves a *determinatio* made in AD 78 (Text 10.2). This Greek document, prepared by a surveyor who was a freedman of the emperor Vespasian, was related to a restoration of boundaries. The beginning of the document – and the beginning portion of each of the surviving lines – is lost, but the *determinatio* has the boundary ending at "the sanctuary, named for Artemis Limnatis, which is above the torrent called *Choireios*." Although it is unclear under whose authority this surveyor restored the boundaries, the incident must be related in some way to the long history of the dispute between *Sparta* and *Messene* over the sanctuary and the *ager*

²⁴³ Ager 1989, 141.

²⁴⁴ Ager 1989 no. 159. This case is documented not only by Tacitus' brief mention, but by substantial epigraphic evidence: a lengthy dossier of three texts inscribed on the base of the Nike of Paionios at the sanctuary of Zeus at *Olympia*. See Ager for text and full references.

²⁴⁵ Talbert 1984, 418 assumes the embassies appeared before the Senate. Ager 1989, 141 assumes a hearing before Tiberius. At this point in the Annales, Tacitus has recently introduced the idea that Tiberius had begun, at this period, to avoid attending meetings of the Senate (Tac. Ann. 4.42). Immediately after the summary of the dispute between Sparta and Messene, Tacitus relates the outcome of a request from Segesta to restore a temple, an embassy explicitly answered in the affirmative by Tiberius. These two observations would tend to lend support to Ager's position. On the other hand, the contest between Sparta and Messene had a long pedigree, one in which the Roman Senate had been directly involved in the past. Further, it seems surprising that Tacitus would have missed the opportunity to emphasize this incident as another example of the emperor's growing estrangement from (and usurpation of the traditional role of) the Senate, a narrative development that is clearly part of the author's agenda in the latter chapters of this book of the Annals. That the incident is related in such obscure language, without a clear attribution of context, is perhaps indicative. If this case was heard by the Senate, with or without the involvement of the emperor, to say so explicitly would undermine the carefully crafted character progression that will culminate in Tiberius' withdrawal to Capri and Sejanus' supposed conspiracy. The fact that Tacitus evidently had access to copies or summaries of each side's presentation would seem to confirm Talbert's view that the hearing occurred before the Senate. It seems much less likely that Tacitus could have obtained such records had Tiberius handled the case by cognitio. The Senate seems to have been involved in the restoration and demarcation of public lands of Gortyn in AD 64 or 65, but the details are obscure (See Instance 64).

²⁴⁶ The *determinatio* lists boundary markers numbered 23-48, indicating that perhaps more than half the inscription has been entirely lost.

Denthaliatis. It may have been that the Spartans' next gambit was to challenge the validity of the boundaries the Messenians claimed for the area.²⁴⁷ If so, we may hypothesize that the surveyor himself had been appointed as *iudex* by the emperor or provincial governor, or that he was assisting the governor or an appointed *iudex*.²⁴⁸ This inscription would then represent only part of the legal dossier resulting from it; there would have been a verdict as well, now lost to us.

It is worth noting that this is the only *determinatio* we have that is issued by the surveyor, not by the presiding official in the case. This observation introduces another possible explanation for the nature and responsibility of the affair. This surveyor may have been appointed (by the governor or the emperor) as the *iudex* himself, or may have been chosen by the parties in question as an *arbiter ex compromisso* without engaging the legal/administrative apparatus at all. There are no clearly documented cases of either practice, but, given certain circumstances, either is conceivable.²⁴⁹

The intrinsic interest of this inscription is heightened by the survival of a number of boundary markers from the area that seem to employ the same scheme of inscription as those described in the *determinatio*.²⁵⁰

²⁴⁷ To assume, as Doukellis 1995, 222 does, that there is a causal link between the Vespasianic demarcation and the Tiberian decision is irresponsible supposition. The Tacitean presentation makes it clear that the question in AD 25 was one of control of the sanctuary – what the agrimensores would term a dispute about territorial jurisdiction = de iure territorii controversia (Campbell 2000, 7.7-26) – not its boundaries. A disagreement over the exact path of the boundaries (if a disagreement was indeed the cause for the demarcation) surely represents a new stratagem on the part of one of the parties and, from the Roman point of view at a remove of several decades, a different legal matter. Doukellis 1995, 224 makes the further error of asserting "Par contre le litige territorial entre Spartiates et Messéniens ... a été finalement résolu par l'Empereur, en nommant le géomètre Flavius Monomitus pour répondre à l'appel des plaignants." There is no direct evidence that this matter involved the emperor at all. We may hypothesize (on the comparative basis of Instance 85, 25 and 38) that a freedman surveyor of the emperor may have been assigned by the emperor, either to implement an imperial decision or (more likely) to assist a governor or appointed *iudex* in investigating and completing a case. There is one case in which a governor consults a surveyor with no mention of imperial involvement (Instance 76), but, unlike the other instances just cited, that surveyor is neither a slave, freedman nor evocatus of the emperor. We must be careful not to make too much of patchy information that can be salvaged from a fragmentary inscription.

²⁴⁸ Burton 2000, 211 sub no. 66.

²⁴⁹ See Campbell 2000, 476 for a discussion of the possibilities and limitations, with literature. Campbell does not mention this case in his discussion.

²⁵⁰ IG 5.1.1371a-c and 1372a-b. Chrimes 1949, 61-67 provides a reconstructed overview and discussion of the boundary's path.

10.1. *Tac. Ann. 4.43.

Auditae dehinc Lacedaemoniorum et Messeniorum legationes de iure templi Dianae Limnatidis, quod suis a maioribus suaque in terra dicatum Lacedaemonii firmabant annalium memoria vatumque carminibus, sed Macedonis Philippi cum quo bellassent armis ademptum ac post C. Caesaris et M. Antonii sententia redditum. contra Messenii veterem inter Herculis posteros divisionem Peloponnesi protulere, suoque regi Denthaliatem agrum in quo id delubrum cessisse; monimentaque eius rei sculpta saxis et aere prisco manere. quod si vatum, annalium ad testimonia vocentur, pluris sibi ac locupletiores esse; neque Philippum potentia sed ex vero statuisse: idem regis Antigoni, idem imperatoris Mummii iudicium; sic Milesios permisso publice arbitrio, postremo Atidium Geminum praetorem Achaiae decrevisse. ita secundum Messenios datum.

Thereafter, embassies from the *Lacedaemonii* and the *Messenii* were heard concerning rights to the temple of Diana Limnatis, which the *Lacedaemonii* asserted was in land that had been given to them by their own ancestors, as demonstrated by the record of annales and the verses of the poets. But it had been forcefully taken away by Philip of Macedon with whom they had fought and later it had been restored by a verdict of Gaius Caesar and Marcus Antonius. In the rebuttal, the *Messenii* adduced the old division of the *Peloponnesus* among the descendents of Hercules, and that the *Denthaliatis ager* in which the sanctuary was located had been ceded to their own king, and that memorials of this arrangement inscribed on stone and the original bronze still remained. And if the testimony of poets and annales was called for, there were many more reliable ones in their favor. Nor was it established as theirs by the power of Philip, but by virtue of truth. Similarly by the verdict of king Antigonus and also by the *imperator* Mummius. Thus the *Milesii*, having been entrusted collectively with the arbitration, (had ruled), and later Atidius Geminus, praetor of *Achaia*, rendered (the same) verdict. And so it was given to the *Messenii*.

10.2. *IG 5.1.1431. See also: Pikoulas 1998, 322.20.

[- 58 -].[-] ώς πόδ/[δες - 48 - ἀπὸ τῆσδε κα]τ' ἄκρον ἐν κα/[ταβάσει(?) - ώς πόδες - - · κἀκεῖθεν ώς πόδες - - ὅρος εἰκοστὸς τρίτος ἐτέθη ἐπιγραφὴν ἔχων ἐπὶ δεξιὰ(?) κατα βαίνουσιν "ὅρος Λα/[κεδαίμονι πρὸς Μεσσήνην" ἀπὸ τοῦδε - 5 - ὡς πόδες - 3 - • κάκεῖθεν - 18 -]ΣΟΙΣ ἀπὸ ποδῶν Ψ΄ / [- 9 - ὡς πόδες - 25 - ἐπὶ πέτραν ἐπεγράφη Κ] τὸ δὲ γράμμα σημαίνει καμ/⁵[πή. - 41 -] ἔλιπε[ν], καὶ ἐνκεκομμέναι εἰσὶν κατὰ / [- 34 - πρὸς] μεσημ[β]ρίαν "ὅρος Λακεδαίμονι πρὸς Μεσσήνην". / [ἀπὸ τῆσδε - 6 - ὡς πόδες - - · κάκεῖθεν ώς πόδες - 4 - ἐπὶ πέτραν] ἐπεγράφ[η] Ο καὶ ἐν μέσω Ρ΄ σημαίνει ὅρος٠ κάκεῖ/[θεν - 4 - ώς πόδες - - ' κάκεῖθεν - 3 - ώς πόδες - 4 - ὅρος εἰ]κοστὸς ἔβδομος ἐτέθη έπιγραφὴν ἔχων πρὸς ἀνατο/[λὴν "ὅρος Λακεδαίμονι πρὸς Μεσσήνην" ἀπὸ τοῦδε κατὰ τὸ ἱερὸν τοῦ Διὸς τοῦ Ύψ]ίστου καὶ τὸ "Υσιον ώς πόδες $[\Pi]\Omega'$. ἐπὶ ὅρον εἰκος I^{10} Τὸν ὄγδοον, ὃς ἐτέθη - 5 - ἐπιγραφὴν ἔχων ἐπ' ἀριστερὰ(?) κα]ταβαίνουσιν "ὅρος Μεσσήνη πρὸς Λακεδαίμονα" ἀπὸ / [τοῦδε - 5 - ὡς πόδες - 3 - κἀκεῖθεν - - ἐπὶ - 5 -] ὡς πόδες Α, έν αἷς ἐνεκόπη Χ΄ κἀκεῖθεν ἐν καταβά/[σει ὡς πόδες - - ' κἀκεῖθεν ὡς πόδες - - ἐπὶ πέτραν φυσικήν, ἐν ἡ ἐπεγράφη "ὅρος] Μεσσήνη πρὸς Λακεδαίμονα" ἀπὸ τοῦδε εἰς / [-7 - ως πόδες - 3 - · κάκεῖθεν - 11 - ως πόδες - - ἐπὶ π]έτραν ἐνεκόπη Ο κα[ὶ] Ρ ἐν μέσω καὶ εἰς / [- 17 - κἀκεῖθεν - 15 - ὡς πόδε]ς AX' ἐπὶ πέτραν, ἥτις ἐστὶν ἐν μέσω ῥύ/ 15 [ακι, ἐν \mathring{h} ἐπεγράφη "ὅρος Μεσσήνη πρὸς Λακεδαίμονα" ἀπὸ τῆσδε τῆς πέτρας τὸ μά]κρος έκμετρηθῆναι οὐκ ἐδυνήθη ἄχρι ὅ/[ρου τριακοστοῦ τρίτου ὁ δὲ ῥύαξ, ὃν καλοῦσιν - 7 όρίζει γην Λακεδαιμ]ονίων τε καὶ Μεσσηνίων κατὰ τοῦτο / [τὸ μέρος: ὁ δὲ ὅρος τριακοστὸς τρίτος ἐτέθη - 13 - τοῦ ῥύα]κος κατέναντι τῆς προγεγραμμένης πέ/[τρας έπιγραφὴν ἔχων "ὅρος Μεσσήνη πρὸς Λακεδαίμονα" ἀπὸ τοῦδε ὡς πόδες - - ἐν πέ]τρα

ένεκολάφθη Ο καὶ Ρ ἐν μέσω· τὸ / [γράμμα σημαίνει ὅρος· ἀπὸ τῆσδε ὅρος ἐτέθη ἐπιγραφὴν ἔχων "ὅρος Μεσσήνη πρὸς Λακε]δαίμονα" ἐν συνροία, ἣν καὶ νάπην Κα/²º[-- καλοῦσιν' ἀπὸ τοῦδε - 6 - ὡς πόδες - - ' κἀκεῖθεν ὡς πόδες - - ἐν τῷ ἀ]ποκρήμνῳ ἐν πέτρα φυσικῆ ἐνεκολάφθη / [Ο καὶ Ρ ἐν μέσω· σημαίνει ὅρος· προσεγράφη δὲ Μ καὶ Λ· ἀπὸ τῆσδε πέτρας κατὰ τὸ]ν χ[ειμά]ρρουν καὶ τὰ ἀπόκρημνα ἄχρι / [- - ὡς πόδες - - ἐπὶ πέτραν ἐνεκόπη Ο καὶ Ρ ἐν μέσω· ἀπὸ τῆσδε ὡς πόδες - -] ἐπὶ κρήνην, ἣν καὶ καλοῦσιν Φαλινγαν, / [ἐπὶ πέτραν ἐπεγράφη Ο καὶ Ρ ἐν μέσω· ἀπὸ τῆσδε κατὰ τὸ ἀπόκρημνον ὡς πόδες - - · κἀκ]εῖθεν ὡς πόδες ͵ΑΣΝ΄ κατὰ τὴν αὐ/[τὴν γραμμὴν(?) ἐπὶ πέτραν ἐπεγράφη Ο καὶ Ρ ἐν μέσω καὶ Μ καὶ Λ΄ σημαίνει ὅρος Με]σσήνη καὶ Λακεδαίμονι: προσεγράφη /25 $[\delta \dot{\epsilon} - 19 - \dot{\alpha}\pi \dot{\delta} \tau \eta \sigma \delta \epsilon - 7 - \dot{\omega} \zeta \pi \dot{\delta} \delta \epsilon \zeta - 6 -]YNA τις ἐστιν ἐν τη διόδω, ην$ προς/[ονομάζουσιν - 17 - ἐπὶ πέτραν ἐπεγράφη "ὅρος Μεσσήνη πρὸς] Λακεδαίμονα" ἀπὸ τῆσδε πέτρας ὑπὲρ / [τὸν κρημνὸν ὡς πόδες - - ἐπὶ πέτραν φυσικήν, ἐν ἡ ἐπεγράφη πρὸς ἀνατολὴν "Λακεδαί]μονος", πρὸς δύσιν "Μεσσήνης"· ἀπὸ / [τῆσδε - 8 - ὡς πόδες - κάκειθεν ως πόδες - - ἐπὶ πέτραν φυσικήν, ἐν ἡ ἐπεγρ]άφη "ὅρος Λακεδαίμονι πρ(ὸς) Μεσ(σήνην)"· / [ἀπὸ τῆσδε πέτρας κατ' ἄκρον ὡς πόδες - - · κἀκεῖθεν ὡς πόδες - - ἐπὶ πέτραν, ἐν ἦ ἐπεγράφη Ο] καὶ Ρ [ἐ]ν μέσω· ἀπὸ τῆσδε κατὰ /30 [τὸν κρημνὸν ὡς πόδες - -· κάκεῖθεν ώς πόδες - - ἐπὶ πέτραν, ἐν ἧ ἐπεγράφη ἐπ' ἀριστερὰ(?) ἀναβ]αίνουσιν "ὅρος Λακεδαίμονι Μες/[σήνη"· ἀπὸ τῆσδε - 3 - ὡς πόδες - - · κἀκεῖθεν, καθὼς ἡ ἀνάβασ]ίς έστιν, ἐπὶ κ[ορυφ]ή[ν' ἀπὸ τῆ]σδε ὡς πόδες Ψ΄ ἐπὶ πέτραν, / [ἐν ἡ ἐπεγράφη - 8 - ἀπὸ τῆσδε εἰς κοῖ]λον ὡς πόδες ΦΚ΄ κἀκεῖθεν πρὸς ἀνάβασιν ὡς πόδες Α΄ κἀκεῖθεν / [ὡς πόδες - - ἐπὶ πέτραν, ἐν ἡ Ο καὶ Ρ ἐν μέσω ἐπ]εγράφη: ἀπὸ τῆσδε κατ' ἄκρον ὡς πόδες Ω΄· κάκεῖθεν εἰς κατάβασιν ώς πό/ $[\delta]$ ε $[\varsigma - - ἐπὶ πέτραν ἐπεγράφη "ὅρος" ἀπὸ τῆσ<math>]$ δε εἰς κοίλον ώς πόδες Τ΄ κάκείθεν, καθώς ή φύσις περινεύει, ἐπὶ κορυ/ 35 φὴν ώς π [όδες - - · κάκεῖθεν ἐν καταβ]άσει ἐπὶ πέτραν ὡς πόδες Σ΄, ἐν ἡ ἐπεγράφη "ὅρος Μεσ [σ]ήνη πρὸς Λακεδαίμονα" / ἀπὸ τῆσδε ὑπ[ὲρ τὸν κρ]ημνὸν ὡς πόδες ΄ ἐπὶ πέτραν ἐπεγράφη Ο καὶ Ρ ἐν μέσω καὶ Λ καὶ Μ' ἀπὸ τῆσδε κατὰ τὸ ἀ/ πόκρημνον ἐ[πὶ τὸ ί]ερόν, ὃ προσονομάζουσιν Άρτέμιτος Λιμνάτιος, ὅ ἐστιν ὑπὲρ τὸν χειμάρρουν, ὃν προσονομάζουσιν / Χοίρειον, ὃς ὁρίζει Μεσσήνη καὶ Λακεδαίμονι πρὸς Έλευθερολάκωνας. / Τ(ίτος) Φλαούιος Σεβαστοῦ Οὐεσπασιανοῦ ἀπελεύθερος Μονόμιτος χωρομέτρης τοὺς προγεγραμμένους /40 ὅ[ρ]ους ἀντιβαλὼν ὑπέγραψα Δέκμω 'Ιουνίω Πρείσκω Λ(εγκίω) Καιειονίω Κομόδω ὑπάτοις πρὸ ΙΘ΄ Καλαν/ δῶν 'Ιανουαρίων έν Πάτραις. [-]Δ[- 17 -]

... about (?) feet ... the peak ... in (descent?) ... "Boundary marker of Lakedaimon ... 700 feet from? ... but the inscription(?) appears to be a bend(?) ... they come down to ... south, "Boundary marker of Lakedaimon, toward Messene." ... inscribed with O and in the middle P appears to be the boundary marker. From there ... the twenty-seventh (boundary marker) was placed, bearing an inscription toward the east ... (... to the temple of Zeus?) Hypsistos and the Hysion, about 80 800 feet. To the twenty-(eighth) boundary marker ... they come down to the boundary marker (bearing the inscription) "Boundary marker of Messene, toward Lakedaimon." From (this ...) ... about 1000 feet, on these were engraved X. From there, in descent ... (... "Boundary marker) of Messene, toward Lakedaimon." From this to ... (... to) the rock engraved O and P in the middle, and on ... (... about 1,600 feet to the rock which is in the middle of a (stream? ... the length?) could not be measured as far as ... (of the *Lakedaim*)onioi and of the *Messenioi* through this (area? ... on the rock) was cut O and P in the middle. The ... (... Lake)daimon in/on SYNROIAI which also a wooded valley ... engraved in the living rock of the cliff face ... the torrent and the precipitous (ground?) as far as ... to the spring which is called Phalinga ... thence about 1,250 feet along the ... of Messene and Lakedaimon ... which is in the pass, which toward(?) ... Lakedaimon. From this rock above ... "of Lakedaimon," toward the west "of *Messene*." From (this ... on which is inscribed?) "Boundary marker of *Lakedaimon* toward *Messene*." ... (... on which is engraved O) and P in the middle. From this along ... is inscribed "Boundary marker of *Lakedaimon*, of *Messene* ... (... the

ascent?) is, to the summit(?). From this about 700 feet to the rock ... to the hollow(?) about 520 feet. From there toward the summit about 1,000 feet. From there ... is engraved. From there along the ridgeline about 800 feet. From there, in descent, about ?? feet ... to the hollow about 300 feet. From there, just as nature inclines, to the summit about ??? feet. (Thence, in descent) to the rock – about 200 feet – on which is engraved "Boundary marker of *Messene*, toward *Lakedaimon*." From this, over/above the cliff, about 90 feet, to the rock engraved 0 and P in the middle and Λ and M. From this along the cliff to the sanctuary, named for Artemis Limnatis, which is above the torrent called *Choireion*, which is the boundary for *Messene* and *Lakedaimon* toward the *Eleutherolakones*.

Titos Flaouios Monomitos, freedman of Vespasian Augustus, land surveyor, restoring the boundaries inscribed above, wrote them out when Dekmos Iounios Preiskos (and) L. Kaieionios Komodos were consuls, (? days) before the Kalends of January in *Patras*

11. Boundary Dispute between Damascus and Sidon

Burton 2000, no. 49

Date(s): AD 32-33

The historian Josephus records a **boundary dispute** (περὶ ὅρων διάφοροι καθεστῶτες) between the cities of *Damascus* (in mod. Syria) and *Sidon* (in mod. Lebanon).

This boundary dispute, one of two recounted by the historian Josephus, ²⁵¹ is particularly valuable for the insight it provides into the expectations and manipulations practiced by parties to such disputes, as well as the role and corruptibility of members of the governor's *consilium*. In Josephus' narrative, the fact of the boundary dispute is incidental. His focus is on the travels and affairs of the future client king of *Iudaea*, M. Iulius Agrippa I, the 'Herod' of the Acts of the Apostles. In AD 32-33, Agrippa had made his way to the province of *Syria* where Josephus tells us he was invited to take up residence in the house of the proconsul L. Pomponius Flaccus whose friendship he had cultivated during his years in Rome. It would seem that Agrippa found himself thus serving as a member of the governor's *consilium* (or at least as a private confidant). This role made him the willing object of a bribery attempt by the city of *Damascus*, which was embroiled in a boundary dispute with *Sidon*. The proconsul was alerted to Agrippa's arrangements and so evicted him from the ranks of his *amici*, and presumably from his house as well, for Josephus then takes the future king off to *Ptolemais* in search of means to pay his debts. Here we are clearly in the domain of the formal processes of *amicitia* practiced by the Roman elite. Agrippa

²⁵¹ See also Instance 14.

suffers the public severing of his relationship with a patron (*renuntiatio amicitiae*) by virtue of his betrayal of trust.²⁵²

The outcome of the boundary dispute, and Flaccus' handling of it, are left to our imagination. But where this text lacks some of the details we might expect from an epigraphic record, it provides a truly rare glimpse behind the scenes of Roman governance. This proconsul at least seems to have expected his *amici* to serve as impartial advisors, and he was prepared to take necessary steps to root out corruption in their ranks. That he was willing to entertain accusations of corruption from one member of his *consilium* against another is a testament to his vigilance, and a demonstration of the scope for both personal rivalry and surreptitious self-enrichment inherent in the Roman style of provincial jurisdiction.

11.1. Josephus A.J. 18.150-154.

ώς Φλάκκον τὸν ὑπατικὸν εἴσεισιν φίλον ἐπὶ Ῥώμης τὰ μάλιστα αὐτῷ γεγονότα πρότερον Συρίαν δὲ ἐν τῷ τότε διεῖπεν. Καὶ δεξαμένου Φλάκκου παρὰ τούτῳ διῆγεν παρακατεσχηκότος αὐτὸν ἐκεῖ Ἀριστοβούλου, ὃς ἀδελφὸς ὢν Ἁγρίππου διάφορός τ' ἦν. οὐ μὴν ἐβλάπτοντο ἔχθρα τῇ ἀλλήλων, ὥστε μὴ φιλία τοῦ ὑπατικοῦ τὰ εἰκότα τιμὴν φέρεσθαι. οὐ μὴν ὅ γε Ἡριστόβουλος ἀνίει τι τοῦ πρὸς τὸν Ἁγρίππαν δυσμενοῦς μέχρι καὶ εἰς ἔχθραν αὐτὸν Φλάκκῳ καθίστησιν, αἰτίαν τοιαύτην ἐπὶ τῇ δυσμενεία παραλαβών.

Δαμασκηνοὶ Σιδωνίοις περὶ ὅρων διάφοροι καθεστῶτες, μέλλοντος Φλάκκου περὶ τούτων ἀκροᾶσθαι μαθόντες τὸν ᾿Αγρίππαν ὡς παρ᾽ αὐτῷ μέγα δύναιτ᾽ ἄν ἠξίουν μερίδος τῆς αὐτῶν γενέσθαι, ἀργύριόν τε πλεῖστον ὡμολογεῖτο αὐτῷ. καὶ ὁ μὲν πάντα ἐπὶ τῆ βοηθείᾳ τῶν Δαμασκηνῶν ὥρμητο πράσσειν. ᾿Αριστόβουλος δέ, οὐ γὰρ ἐλάνθανεν αὐτὸν ἡ ὁμολογία τῶν χρημάτων, καταγορεύει πρὸς τὸν Φλάκκον. καὶ βασανιζομένου τοῦ πράγματος ἐπεὶ φανερὰ ἦν, ἐξωθεῖ τὸν ᾿Αγρίππαν φιλίας τῆς πρὸς αὐτόν.

So he (Agrippa) sought out Flaccus the proconsul, who had become the best of friends to him earlier in Rome, but at this time he was in command of *Syria*. And Flaccus welcomed Agrippa to live in his home, but Aristoboulos, who (being Agrippa's brother) was at odds with him, thwarted him there. They were not hindered by their hatred for one another, with the result that, in the friendship of the proconsul, honor was borne equally by both. But Aristoboulos did not let go of his animosity toward Agrippa until he had brought his brother into the enmity of Flaccus, seizing upon the following method to provoke his displeasure.

The *Damaskenoi* had come into conflict with the *Sidonioi* concerning boundaries. When Flaccus was preparing to hold a hearing about them, the *Damaskenoi* learned that Agrippa would have great influence with Flaccus and so they decided to win him over to their side, promising him a very large sum of money. And he pledged to do everything he could to assist the *Damaskenoi*, but Aristoboulos – for the agreement about the money had not escaped his attention – denounced Agrippa to Flaccus. When the matter had been investigated and shown to be true, he ejected Agrippa from his circle of friends.

²⁵² In general, see: Kierdorf 1987 passim, esp. pp. 230-231.

12. Restoration of Boundaries between Nerate and Pituntium

Burton 2000, no. 15

Date(s): early 40's AD

This fragmentary document records the review and restoration of boundary markers (*termini r[eco]gniti et restitu[ti]*) between *Nerate* (an unlocated site probably near *Salona* in modern Croatia) and *Pituntium* (mod. Podstrana in Croatia).

The review and restoration of boundary markers would seem to imply a survey operation aimed at locating markers from an earlier demarcation and, where they were no longer extant, replacing them on the basis of any other available information. Most details concerning the earlier demarcation are lost, as the text breaks off incomplete, but it would appear that it had been made during the service of L. Volusius Saturninus as governor of *Dalmatia* (sometime between AD 23 and 37). That earlier instance can only be classified an authoritative demarcation, since what is left of this text does not provide us with sufficient information to determine whether he rendered a verdict in a dispute, or in some other way imposed boundaries on the parties.

It seems likely that the survey and restoration effort originated in a dispute between the parties, and so we should see the role of the governor (L. Calpurnius Piso) as judicial. It is possible on the other hand that a restoration might have been an administrative procedure, reversing an earlier arrangement made by Roman (or pre-Roman officials), thereby reconstituting the boundaries in accordance with an even earlier demarcation, perhaps as a *beneficium* of the emperor. Given the short amount of time that seems to have passed between the inititial demarcation under Saturninus and the later restoration, the latter possibility seems rather unlikely.

12.1. *Wilkes 1974, 266 no. 19; ILS 5952; AE 1891.17; CIL 3.12794.

[··· i]nter Ner[a]/[sti]nos et Pitunti/nos termini r[ec]/[o]gniti et restitu[ti] a / [P]isone leg(ato) pro pr(a)etore /⁵ [Ti(beri)] Claudi Caesaris [Aug(usti)] / Germanici per C(aium) Ma[r]/ium Maternum (centurionem) leg(ionis) / VII C(laudiae) p(iae) f(idelis) quos L(ucius) Volus/[ius Saturninus ...

Boundary markers between the *Nerastini* and *Pituntini*, which Lucius Volus(ius Saturninus established?) ... reviewed and restored by Piso, propraetorian imperial legate of Tiberius **Claudius** Caesar Augustus Germanicus through Gaius Marius Maternus, centurion of *Legio VII Claudia Pia Fidelis*.

²⁵³ Compare Instance 75.

13. Boundary dispute between the Sapuates and Aemate

Burton 2000, no. 14

Date(s): AD 40-42

This rupestral boundary inscription succinctly records the delegation of judiciary authority by the provincial governor to a centurion for the purpose of resolving a **boundary dispute** between the settlement of *Aemate* (mod. Dobrnja on Vrbas in Bosnia) and a people called the *Sapuates*, who inhabited the area just south of *Aemate*.

One of the more complete boundary documents from Dalmatia, this text was cut into a stone outcropping near Vaganj in the valley of the Vrbas river (ancient *Urbanus fl.*) in modern Bosnia-Hercegovina. It can be dated to sometime shortly before the death of Caligula in AD 41 on the basis of the emperor's titulature and what is known about the career of the governor L. Arruntius Camillus Scribonianus.

13.1. *Wilkes 1974, 267 no. 23; ILS 5950; CIL 3.9864a, cf. pp. 2165 and 2270.

L(ucius) Arruntius / Camil[l]us Scri/b[o]nianus le[g(atus)] pro/pr(aetore) C(aei) [C]ae[s]aris Aug(usti) / Germanici, iudicem /5 dedit M(arcum) Coelium (centurionem) / leg(ionis) VII inter Sapuates / et [..]matinos ut fines / [reg]eret et terminus (sic) po[n(eret)]

Lucius Arruntius Camillus Scribonianus, propraetorian legate of Gaius Caesar Augustus Germanicus (**Caligula**), appointed Marcus Coelius, centurion of *Legio VII*, as *iudex* between the *Sapuates* and *[Ae]matini* so that he might draw the boundaries and place boundary markers.

14. Boundary Dispute between *Peraia* and *Philadelphia*

Burton 2000, no. 47

Date(s): AD 44

Clearly a **boundary dispute** (στασιάσαντας ... περὶ ὅρων κώμης).

Josephus relates an incident in which one party to an inter-civic boundary dispute attacked another with arms. The procuratorial governor, upon his arrival in the province, took punitive action in the case. The anecdote is particularly remarkable for the manner in which Josephus emphasizes the governor's irritation that the parties had not waited for him to adjudicate. Clearly Josephus felt such adjudication was primarily the responsibility of the provincial governor.

14.1. *Josephus A.J. 20.2-4.

Φᾶδος δὲ ὡς εἰς τὴν Ἰουδαίαν ἐπίτροπος ἀφίκετο, καταλαμβάνει στασιάσαντας τοὺς τὴν Περαίαν κατοικοῦντας Ἰουδαίους πρὸς Φιλαδελφηνοὺς περὶ ὅρων κώμης μιᾶς λεγομένης πολεμίων ἀνδρῶν ἀνάπλεω· καὶ δὴ οἱ τῆς Περαίας χωρὶς γνώμης τῆς τῶν πρώτων παρ' αὐτοῖς ἀναλαβόντες τὰ ὅπλα πολλοὺς τῶν Φιλαδελφηνῶν διαφθείρουσιν. ταῦτα πυθόμενον τὸν Φᾶδον σφόδρα παρώξυνεν, ὅτι μὴ τὴν κρίσιν αὐτῷ παραλίποιεν, εἴπερ ὑπὸ τῶν Φιλαδελφηνῶν ἐνόμιζον ἀδικεῖσθαι, ἀλλ' ἐφ' ὅπλα χωρήσειαν. λαβὼν οὖν τρεῖς τοὺς πρώτους αὐτῶν τοὺς καὶ τῆς στάσεως αἰτίους δῆσαι προσέταξεν, εἶτα τὸν μὲν αὐτῶν ἀνεῖλεν, ᾿Αννίβας δ' ἦν ὄνομα τούτῳ, ᾿Αμαράμῳ δὲ καὶ Ἐλεαζάρῳ τοῖς δυσὶ φυγὴν ἐπέβαλεν

When Fadus came to *Iudaia* as procurator, he discovered that the *Ioudaioi* inhabiting *Peraia* were quarrelling with *Philadelphenoi* concerning the borders of a village called (Zias?), which was full of violent men. Indeed, the people of *Peraia*, taking up arms without the knowledge of their leaders, killed many of the *Philadelphenoi*. These things greatly enraged Fadus when he found out about them, because they did not leave the verdict to him – even though they thought they had been wronged by the *Philadelphenoi* – but instead resorted to arms. Then, seizing three of their leaders, who were also guilty of the uprising, he ordered them bound. Next, he executed one of them, Annibas was his name, and he imposed exile on Amaramos and Eleazar, the other two.

15. Dispute between the Comenses and Bergalei

Date(s): AD 46

A protracted and, in some ways obscure, dispute between the inhabitants of *Comum* (mod. Como in Italy) and a people living to their north, the *Bergalei*, was finally settled by an edict of the emperor Claudius. The affair was first raised under Tiberius and investigated by two separate delegates, the second commissioned by Claudius. To infer from the rulings and arrangements inherent in the edict, the matter seems to have touched on questions of citizenship rights, property ownership, territorial control and, possibly, boundaries. The fact that Claudius rules on the citizenship issues, but delegates the issuance of a verdict in the rest of the case, strengthens the supposition that boundaries were involved, necessitating a definitive demarcation.

The name of the village in question appears to have dropped out of the manuscript tradition, having been substituted in all surviving copies with the word $\mu u \hat{\alpha} \varsigma$.

15.1. AE 1983.445; Frézouls 1981; FIRA 1.71; ILS 206; *CIL 5.5050.

M(arco) Iunio Silano Q(uinto) Sulpicio Camerino co(n)s(ulibus) / Idibus Marti(i)s Bai(i)s in praetorio edictum / Ti(beri) Claudi Caesaris Augusti Germanici propositum fuit id quod infra scriptum est / Ti(berius) Claudius Caesar Augustus Germanicus pont(ifex) / maxim(us) trib(unicia) potest(ate) VI imp(erator) XI p(ater) p(atriae) co(n)s(ul) designatus IIII dicit /5 cum ex veteribus controversis pe<nd=T>entibus aliquamdiu etiam / temporibus Ti(beri) Caesaris patrui mei ad quas ordinandas / Pinarium Apollinarem miserat quae tantum modo / inter Comenses essent quantum memoria refero et / Bergaleos isque primum apsentia(!) pertinaci patrui mei /10 deinde etiam Gai principatu quod ab eo non exigebatur / referre non stulte quidem neglexserit et posteac / detulerit Camurius Statutus ad me agros plerosque / et saltus mei iuris esse in rem praesentem misi / Plantam Iulium amicum et comitem meum qui /15 cum adhibitis procuratoribus meis qui{s}que in alia / regione quique in vicinia erant summa cura inqui/sierit et cognoverit cetera quidem ut mihi demons/trata commentario facto ab ipso sunt statuat pronun/tietque ipsi permitto /20 quod ad condicionem Anaunorum et Tulliassium et Sindu/norum pertinet quorum partem delator adtributam Triden/tinis partem ne adtributam guidem arquisse dicitur / tam et si animadverto non nimium firmam id genus homi/num habere civitatis Romanae originem tamen cum longa /25 usurpatione in possessionem eius fuisse dicatur et ita permix/tum cum Tridentinis ut diduci ab i(i)s sine gravi splendi(di) municipi(i) / iniuria non possit patior eos in eo iure in quo esse se existima/verunt permanere benificio meo eo quidem libentius quod / pleri{s}que ex eo genere hominum etiam militare in praetorio /ºº meo dicuntur quidam vero ordines quoque duxisse / non nulli <a=CO>llecti in decurias Romae res iudicare / quod benificium i(i)s ita tribuo ut quaecumque tanquam / cives Romani gesserunt egeruntque aut inter se aut cum / Tridentinis alisve rata{m} esse iubea<m=T> nominaque ea /35 quae habuerunt antea tanguam cives Romani ita habere i(i)s permittam

When Marcus Iunius Silanus and Quintus Sulpicius Camerinus were consuls, on the Ides of March, in the palace at *Baiae*, the edict of Tiberius Claudius Caesar Augustus Germanicus which is inscribed below was issued.

Tiberius Claudius Caesar Augustus Germanicus, pontifex maximus, (holding the) tribunician power for the 6th time, (hailed as) imperator 11 times, father of the country, consul-designate for the 4th time, says: Since with respect to unsettled disputes that were already old in the days of Tiberius Caesar my uncle, for the resolution of which he sent Pinarius Apollinaris and which were of great importance between the *Comenses*, if memory serves, and the *Bergalei*, (Pinarius), first because of the protracted absence of my uncle and then in the principate of Gaius because he was not ordered to report, not unwisely neglected to do so, and (since) later Camurius Statutus reported to me that many fields and woodlands are under my jurisdiction, in the present case I sent out Iulius Planta, my friend and companion, whom, since he investigated and examined the matter with the greatest of care after consulting my procurators (both those who were in other regions and those who were in the vicinity), I permit to settle and declare the remaining issues just as he demonstrated them to me in the memorandum he prepared. As to that which pertains to the status of the *Anauni*, *Tulliasses* and *Sinduni*, some of whom are attributed to the Tridentini and some of whom are not (as the informer is said to have charged), although I am aware that this sort of person does not have a very firm basis of Roman citizenship, nevertheless, since they are said to have been in possession of it through long practice and to be so intertwined with the *Tridentini* that it is not possible to separate them without causing grave injury to that splendid municipium, I permit them to remain in that legal status that they thought they had, as a beneficium from me, which indeed I am all the readier to do because many men of this sort are said to be serving in my Praetorian Guard, and indeed also to have had command rank, and some, enrolled in the decuriae at Rome, are said to judge cases; which beneficium I grant to them so that whatever they did or said as if Roman citizens, either amongst themselves or with the Tridentini or others, I order to be valid, and those names which they had before as if they were Roman citizens I permit them to keep.

16. Horothesia of *Histria*

Burton 2000, no. 21

Date(s): c. AD 47-102

A dispute between the city of *Histria* and the contractor who had purchased the *portorium* ripae Thraciae over the rights to tax revenues required an **authoritative demarcation** by the governor of *Moesia Inferior* as part of his verdict in the case.

This important dossier widens our understanding of boundary disputes in several ways. It demonstrates that boundary disputes could arise in the context of larger disagreements over resource exploitation, taxation and traditional civic rights. It also reveals a proactive pattern of behavior on the part of a provincial city whereby each successive Roman governor was petitioned to confirm in writing the city's claim to extract resources from a particular area. The success of this strategy – proved by the city's victory in a later dispute that also resulted in the definitive demarcation of the area in question – may indicate that the careful maintenance of documentation for rights and associated boundaries was not an uncommon civic preoccupation.

These documents attest to the long-running concern of the city of *Histria* (mod. Istria in Romania) for its ancestral rights to tax the revenue from fishing and other activities at one mouth

of the Danube delta, called *Peuke*. Our evidence for *Histria's* interaction with the governors of the province of *Moesia Inferior* on this subject was inscribed in the early years of the second century. It consists of two blocks, each over a meter and a half tall, and each bearing an inscribed copy of a dossier of letters and verdicts from successive Roman governors, spanning the period from c. AD 47 to AD 102. Both blocks, found separately in different parts of the delta, have suffered significant damage. It is therefore neessary for scholars to cross-supplement their texts one from the other in order to arrive at what is clearly an identical source text for each. In the presentation that follows, I have provided for each letter the most complete text. References to the alternate copy are also included.

Like the documents on the 'archive wall' from *Coronea*, ²⁵⁵ these texts were inscribed not in chronological order, but according to another scheme. The dossier opens with one of the two latest documents: a Latin determinatio (entitled ὁροθεσία in the inscribed Greek heading) ordered by the governor M'. Laberius Maximus (c. AD 100, Text 16.1). The dossier closes with the text of Maximus' verdict (Text 16.7) in a lawsuit brought against against the Histrians by the contractor who had purchased the portorium ripae Thraciae for the taxes (portorium) from Halmyris and Peucus (= Peuke). On the model of the Nigrinus dossier from Delphi, 256 we should probably view the ὁροθεσία as the conclusion (or an annex) to Maximus' verdict. The two were split – and the ὁροθεσία placed first – for rhetorical purposes when inscribed by the Histrians. Between these two bookends, we are given the series of letters from previous governors that must have formed part of the evidentiary dossier presented by the Histrian advocates as they argued their case before Maximus. The logic guiding the order in which these documents are presented is obscure. Read chronologically, however, they reveal that each successive governor was called upon to confirm Histria's ancestral rights (originally confirmed by 'the emperor,' who is not named). The governors' letters of confirmation are clearly responses to petitions presented by Histrian delegations that met each governor upon his arrival in the province. It is also clear from at least one letter of the governor (T.) Flavius Sabinus (c. AD 53-60) that some kind of dispute about the rights in question had arisen prior to Maximus' decision and had required enforcement by a Roman prefect (Text 16.2). The exact nature of this earlier dispute is unclear.

The earliest letter (Text 16.6) in the *Histria* dossier was addressed to the Histrians by Claudius' legate C. Terentius Tullius Geminus, who probably served a three-year term in the province from AD 50-53. It responds to concerns expressed by an eleven-man delegation that met Geminus in *Tomis* (mod. Constanţa, Romania) on his arrival in the province. He confirms their

²⁵⁵ Instance 43.

²⁵⁶ Instance 61.

view that *Histria's* ancestral boundaries ([... τὰ τῶν προ]γόνων ὑμῶν ὅρια) at *Peuke* should be preserved.

The dossier also contains two letters of (T.) Flavius Sabinus (Texts 16.3 and 16.2), who next governed the province of *Moesia* for a term of seven years (ca. AD 53-60). These two letters are probably inscribed in reverse chronological order; they appear third and second, respectively. The letter inscribed first relates to enforcement of an earlier verdict (clearly that delivered in the other letter), and in it Sabinus promises to inform his successor about the matter. Although the earlier letter (Text 16.2) carries the heading "another letter of Sabinus," these headings were obviously added at the time of inscription (or presentation as evidence) and so reflect that order.

It is possible that Text 16.3 coincides with Sabinus' arrival in the province, having been met by a delegation similar to that which met Geminus. The letter could equally have been composed later, and absent any formula of date, we cannot know for certain. It is unclear exactly what problems continued later in Sabinus' tenure, but it is clear that there were problems, for he wrote back to *Histria* concerning the delegation of enforcement responsibilities to another prefect. This letter comes later than the other, for Sabinus is anticipating his departure from the province and promising to inform his successor of the situation.

The fourth interaction (chronologically) between *Histria* and a Roman governor is found in a letter of Plautius Aelianus (Text 16.5), Sabinus' immediate successor, whose tenure in *Moesia* probably lasted from AD 60 to 67. It would appear that this letter also was prompted by the appearance of a Histrian delegation upon the governor's arrival in the province. He presumably knew to expect them, given Sabinus' prior promise to inform him of the matter. This is the only letter of Aelianus in the dossier, so the implication of the heading ("another letter of Aelianus") appears to have been a mistake by the compiler of the dossier or by the lapicide.

The Histrians continued their practice of securing each new governor's observance of their ancestral rights. C. Pomponius Pius, Aelianus' immediate successor as governor of *Moesia Inferior* (ca. AD 67-68) acknowledged those rights as well, having seen the relevant correspondence of the two previous governors (Text 16.4).

The Histrians' assiduous practice of extracting such letters from each governor paid off some 30 years later when Charagonius Philopalaestrus brought his lawsuit. Although most of the detailed portion of Maximus' verdict (Text 16.7) is lost, it seems clear from the overall character of the dossier, and the manner of its inscription, that the Histrians felt they had won the case and had secured from Maximus and his predecessors essential documentation (not least a surveyed boundary description) and vindication of a venerable and important source of revenue.

A separate fragmentary inscription, with lettering very similar to the two boundary stelae, preserves a small part of what may be another governor's letter (in Latin and Greek copies). It mentions a *boule* and *demos*, *Histria*, and Aruntius Flamma, the prefect mentioned in Text 16.2. If editiorial supplements are correct, it also mentions Pontius Laelianus, an imperial legate of ca. AD 170.

16.1. *ISCM 1 68 ll. 1-8; EDH HD026625 (init., Latin only); ISCM 1 67 ll. 1-4; Oliver 1965, 154 s.v. "Decision of the Consular Laberius Maximus"; AE 1919.10.

όροθεσία Λαβερίου Μαξίμου ὑ[πατικοῦ] / fines Histrianorum hos esse con[stitui - - - - - Pe]/ucem laccum Halmyridem a do[minio - - - - - - -] / Argamensium, inde iugo summo [- - - - - - ad c]/[o]nfluentes rivorum Picusculi et Ga[brani, inde ab im]/^s[o] Gabrano ad capud eiusdem, inde [- - - - iuxta rivum] / [S]anpaeum, inde ad rivum Turgicu[lum - - - - - -] / a rivo Calabaeo, milia passum circi[ter D?XVI]

Determinatio (Horothesia) of Laberius Maximus, consular.

I have established these ... (as) the boundaries of the *Histriani* ... *Peuce* ... *Halmyris* lagoon from ... of the *Argamensies*, thence along the top of the ridge ... to the confluence of the *Picusculus* and *Gabranus* streams, thence from the lower *Gabranus* to its headwaters, thence ... *Sanpaeus*, thence to the stream *Turgiculus* ... from the stream *Calabaeus*, 516(?) miles around the perimeter.

16.2. *ISCM 1 68 ll. 9-14; ISCM 1 67 ll. 5-10; Oliver 1965, 155 s.v. "Epistle of Sabinus".

ἐπιστολὴ Σαβείνου / Φλάβιος Σαβεῖνος Ἰστριανῶν ἄρχους[ιν βουλῃ δήμω] / χαίρειν. τὸ περὶ Πεύκην ὑμεῖν δίκαιο[ν ὅπως ἀκέραιον δι]/ατηρηθῃ, ἔσται ἐπιμελὲς Ἰρουντίω Φλάμ[μα τῷ ἐπάρχω· οὕ]/τως γὰρ αὐτῷ ἐπέστε[ι]λα· λαλήσω δὲ καὶ Αἰ{μι}λι[ανῷ διαδόχω] /5 μου καὶ εἰς τὸ παντελὲς συνστήσω ὑμᾶς.

Letter of Sabinus:

Flavius Sabinus to the magistrates, council and people of the *Istrianoi*, greetings. Your right concerning *Peuke* must be found to be unharmed; this will be the prefect Aruntius Flamma's concern, for so I have written to him. I shall also speak to Aelianus my successor and I shall recommend you thoroughly.

16.3. *ISCM 1 68 ll. 15-27; ISCM 1 67.10-23;

Oliver 1965, 155 s.v. "Another Epistle of the same Sabinus".

ἄ[λλη ἐπιστολὴ] / τοῦ αὐτοῦ Σαβείνου. Φλά(βιος) Σαβεῖνος π[ρεσβευτὴς Ἰστρι]/ανῶν ἄρχουσιν βουλῆ δήμῳ χαίρειν: εἰ κα[ὶ τὸ τῆς κατὰ τὸν] / Ἰστρον ὅχθης τέλος μέχρις θαλάσσης δ[ιήκει καὶ ἐκ το]/σούτου διαστήματος ἀφέστηκεν ἡ πό[λις ἀπὸ τῶν τοῦ] /⁵ ποταμοῦ στομάτων ὅμως ἐπεὶ καὶ οἱ [πρέσβεις ὑμῶν] / διεβεβαιοῦντο καὶ ἸΑσιατικὸς ὁ ἔπαρχος [ἔλεγε σχεδὸν] / ἐκείνην μόνην εἶναι τῆς πόλεως πρόσο[δον τὴν ἐκ τοῦ] / ταρειχευομένου ἰχθύος, ἔδοξα δεῖν [ὑμεῖν κατὰ τὴν ὑμετέ]/ραν συνήθιαν μένειν τὴν αὐτὴν ἄδει[αν τοῦ τε ἀλιεύειν] /¹⁰ ἐν τῷ Πεύκης στόματι καὶ τοῦ παραφ[έρειν τὴν δᾳδα] / εἰς τὴν ἑνὸς ἑκάστου χρείαν δίχα τέ[λους: περὶ] / γὰρ τῶν τῆς ὕλης χρείων ἀν{γ}αμφισβήτη[τα ἔχετε ὅρια] / καὶ τὴν ἐξ ἐκείνων χρῆσιν πᾶσαν τῷ τέλε[ι ἀνυπεύθυνον].

Another Letter of the Same Sabinus:

Flavius Sabinus, legate, to the magistrates, council and people of the *Istrianoi*, greetings. Even though the tax district (*telos*) of the shore along the *Istros* extends as far as the ocean, and the city stands so great a distance from the mouths of the river, nevertheless since your representatives insisted – and Asiatikos the prefect agreed – that this alone is the city's sole income, namely that derived from preserved fish, I thought it necessary that the same freedom remain for you, according to your custom, both to fish at the *Peuke* mouth and to transport pine wood for the use of each individual independent of the tax district (*telos*). For, concerning the exploitation of the woodland you have undisputed boundaries and the full use from them free of accounting to the tax district (*telos*).

16.4. *ISCM 1 68 ll. 28-38; ISCM 1 67 ll. 24-35; Oliver 1965, 155 s.v. "Epistle of Pomponius Pius".

ἐπιστολὴ Πομπωνίου Πείου / Πομπώνιος Πεῖος Ἰστριανῶν ἄρχουσιν [βουλῆ δήμω χαίρειν]. / καὶ ἐκ τῶν γεγραμμένων ὑμεῖν ὑπὸ Φλ(αβίου) [Σαβείνου καὶ Αἰλι]/ανοῦ, ἀνδρῶν ἐπισημοτάτων καὶ ἐμο[ὶ τειμιοτάτων, ἦν ἀντι]/λαβέσθαι ὅτι ἡ ἀσθένια τῆς πόλεως ὑμῶ[ν προνοίας τυγχάνει πρὸ οὖν] /⁵ πάντων φροντίζοντος τοῦ θειοτάτου [Καίσαρος καὶ ὡς ἀληθῶς σωτή]/ρος ἡμῶν ἵνα μὴ μόνον διαφυλαχθῆ ἀλ[λὰ καὶ αὐξηθῆ] / τὰ τῶν πόλεων δίκαια ἐπέκρεινα τὴν τ[ῶν κατὰ στόμα Πεύκης άλι]/ευομένων ἰχθύων πρόσοδον ὑμετέραν εἶ[ναι, ῷ δικαίῳ ταῦ]/τα τὰ τέλη οἱ πρόγονοι ὑμῶν καὶ πατέρε[ς] τ[ῆ χάριτι τῶν Σεβαστῶν] /¹ο ἀδιαλείπτως ἔσχον.

Letter of Pomponius Pius:

Pomponius Pius to the magistrates, council and people of the *Istrianoi*, greetings. From what was written to you by Flavius Sabinus and Aelianus, men most exemplary and valuable to me, it was possible to perceive that the (inherent) weakness of your city finds itself in the providential care of the most divine Caesar – truly our savior – who does indeed look out for everyone. In order that the rights of the cities (sic) should be not only be protected but also increased, I have decreed that the proceeds from fish caught at the *Peuke* mouth be yours according to the right by which your ancestors and fathers obtained these taxes, without interruption, by the grace of the emperors.

16.5. *ISCM 1 67 ll 35-48; ISCM 1 68 ll. 38-48; Oliver 1965, 155-156 s.v. "Epistle of Plautius Aelianus".

ἄλλη ἐπιστολὴ Πλαυτίου / [Αἰλ]ιανοῦ Πλαύτ[ιος Αἰ]λιανὸς Ἰστριανῶν ἄρχουσιν / [χ]αίρειν. τὸ ψήφισμα ὑμῶν ἀπέδοσάν μοι οἱ πρέσβεις / [Κ]αλλίστρατος Δημητρίου καὶ Μειδίας Ἀρτεμιδώρου· / [ἠ]ξιοῦτε δὲ διὰ τοῦ ψηφίσματος παραπεμφθῆναι /⁵ τὴν εὐχαριστοῦσαν τῷ τειμιοτάτῳ ἡμῶν Σαβείνῳ / πρεσβείαν, ὃ καὶ δι᾽ αὐτὸν μόνον τὸν Σαβεῖνον [ἀ]/[σ]μένως ἂν ἐποίησα· ἠξιοῦτε δὲ καὶ τὰ τῆς Πεύκης ὑμε[ῖν] / ἄθραυστα τηρεῖν δίκαια· ἐγὼ δὲ τοσοῦτον ἀπέχω / τοῦ θραῦσαί τι τῶν ἐκ χρόνου φυλασσομένων ὑμε[ῖν] /¹ο δικαίων, ὡς καὶ παρευρεῖν ἂν ἡδέως δι᾽ ὧν ἐνέσται [[κ[ο]]] / κοσμεῖν ἀρχαίαν πόλιν καὶ Ἑλληνίδα καὶ εἰς τὸν Σ [ε]/βαστὸν εὐσεβῆ καὶ πρὸς ἡμᾶς αὐτοὺς οὖσαν εὐσε/βῆ.

Another (sic) letter of Plautius Aelianus:

Plautius Aelianus to the magistrates of the *Istrianoi*, greetings. The representatives Kallistratos son of Demetrios and Meidias son of Artemidoros delivered your resolution to me. You requested through your resolution that the embassy of thanksgiving for our most esteemed Sabinus be conveyed onward, which I did gladly for Sabinus' sake alone. You also asked that I preserve undiminished your rights at *Peuke*. I am so far removed from breaking down any of your long-protected rights that, in days to come, I will gladly devise ways to honor an ancient Hellenic city that is pious toward the emperor and pious toward us ourselves.

16.6. *ISCM 1 68 ll. 49-61; ISCM 1 67 ll. 48-62; Oliver 1965, 156 s.v. "Epistle of Tullius Geminus".

ἐπιστολὴ Τουλλίου Γεμίνου / [Τούλ]λιος Γέμινος πρεσβευτὴς καὶ ἀντιστρά<τη>γος [Τιβ(ερίου) Κλαυδί]/[ου] Καίσαρος Σεβ(αστοῦ) Γερμανικοῦ Ἰστριανῶν ἄρχους[ιν βουλῆ δήμω] / χαίρειν. οἱ πρέσβεις ὑμῶν Δημήτριος, Ἐσχρίων, Ωτα.3, [Μειδίας] / Διονυσόδωρος, Ἡγησαγόρας, ᾿Αρισταγόρας, [Μητρόδωρος ἐν]/⁵τυχόντες μοι ἐν Τόμει τὸ ψήφισμα ὑμῶν ἐπέδοσαν κα[ὶ τὴν εἰς τὸν Σεβασ]/τὸν ἡμῶν ἐπιδειξάμενοι εὕνοιαν συνήσθησαν ἐ[πὶ τῆ ἡμετέρα ὑγεί]/α καὶ παρουσία σπουδεοτάτην <π>οιησάμενοι τ[ὴν περὶ ὧν ἐνετείλας]/θε αὐτοῖς ὁμειλίαν ἐπιγνοὺς οὖν ἣν καὶ πρὸς [ἡμᾶς ἐνεφάνισαν τῆς] / πόλεως ὑμῶν διάθεσιν πειράσομαι ἀεί τινος ὑ[μεῖν ἀγαθοῦ] /¹ο γενέσθαι παραίτιος. περὶ δὲ Πεύκης καὶ τῶν στομ[άτων διδαχθε]/ὶς ὑπὸ τῶν πρέσβεων ὑμῶν ἐδικαίωσα τηρῖσθαι ὑμ[εῖν τὰ τῶν προ]/γόνων ὑμῶν ὅρια

Letter of Tullius Geminus:

Tullius Geminus, propraetorian imperial legate of Tiberius Claudius Caesar Augustus Germanicus, to the magistrates, council and people of the *Istrianoi*, greetings. Your representatives Demetrios, Eschrios, Ota[...], Meidias, Dionysodoros, Hegesagoras, Aristagoras and Metrodoros, having met me in *Tomis*, delivered your decree and, having demonstrated their goodwill toward the emperor, rejoiced together for our health and arrival, holding the most serious possible conversation concerning those things which you directed them to discuss. Recognizing therefore the demonstrated attitude of your city toward us, I shall always try to become the creator of something beneficial to you. Having been informed by your representatives concerning *Peuke* and the river mouths, I have judged that the boundaries of your ancestors should be preserved for you.

16.7. *ISCM 1 68 ll. 61-70; EDH HD026625 (at end); ISCM 1 67 ll. 63-84; Oliver 1965, 156 s.v. "From Journal of Laberius Maximus". 257

exemplum [decreti] / Ma<n>i Laberi Maximi leg(ati) Aug(usti) pr(o) pr(aetore) / [I]mp(eratore) Caesar<e> Traiano Aug(usto) German[ico III Iulio Fron]/tino III co(n)s(ulibus) VIII ka(lendas) Novembres [descriptum] / et recognitum factum ex comm(entariis) M[ani Laberi] / Maximi leg(ati) Aug(usti) pr(o) pr(aetore) permitte[nte ...] / Fabio Pompeiano. quae iam era<nt> scri[pta] / Charagonio Phi<l> oalaestro con[ductori publici por]/tori ripae Thraciae, postulant<i> ut [portorium sibi Hal]/myridis et Peuci daretur. secund[um formam quam accepit] / [habe]bit ius exigendi porto[ri a finibus ca]/[nab]arum Dimensium usque [ad mare - - - -]

Copy of (the verdict) of Manius Laberius Maximus, propraetorian legate of the emperor Caesar **Trajan** Augustus Germanicus, (dated) when the emperor was consul for the 3rd time and Iulius Frontinus was consul for the 3rd time, 8 days before the Kalends of November, copied and checked from the notes of Manius Laberius Maximus, propraetorian imperial legate, (brought out by? with the authorization of?) Fabius Pompeianus, which (verdict) was written to Charagonius Philopalaestrus, contrator of the *portorium* of the Thracian shore who asked that the *portorium* of *Halmyris* and *Peucus* be given to him: according to the (map?, list?) that he received, he shall have the right to the *portorium* due from the boundaries of the *Canabae Dimensium* all the way (to the sea?) ...

16.8. ISCM 1 69; Oliver 1965, 151 n. 5.

-----] Ḥis[tr---- -- Pontiu]s Laeli[anus --- -' Αρουν]τίω Φλάμ[μα --- ----] Βουλη δημ[---- σπ]ουδὴν[----- -----

17. Negotiated Settlement between *Corinium* and *Ansium*(?)

Burton 2000, no. 17

Date(s): AD 62-68

A fragmentary boundary marker recovered from the area of *Corinium* (mod. Karin in Croatia) attests to the negotiated settlement of a **boundary dispute** between *Carinium* and another community, possibly *Ansium* (mod. Cvijina gradina)

Although the short text provides very little detail, it would seem that the *Corinienses* and the *Ansienses* had been able to work out their boundary differences, but wanted the assistance of a surveyor to accurately establish and mark the boundaries. The governor's role seems to have been limited to providing the surveyor and giving legal sanction to the establishment of the boundary.

²⁵⁷ The identity and role of Fabius Pompeianus in this affair is uncertain. It has been suggested that he may have been a scribe or minor official on the governor's staff, or that he was an official of an archive in Rome. Without additional evidence of his career, the question must remain unanswered. See ISCM 1 67 for discussion.

His order to this effect provided an authoritative endorsement of the validity of the boundary, and this is probably the reason it is cited in the inscribed text. To what degree the Roman administration may have been involved in the negotiation, or whether the terms under which it was reached were somehow dictated through judicial or other administrative means, we cannot know.

17.1. *EDH HD029688; ILJug 3.2865; Wilkes 1974, 262 no. 9; ILS 9378; Betz 1938, 33-34 no. 9; AE 1910.79.

----? / [finis] inter An[sienses? et] / [Co]riniens(es) secundum / [c]onventionem utrius/que partis derectus mensu/⁵[ris] actis iussu A(uli) Duceni / [Gem]ini leg(ati) Aug(usti) pro pr(aetore)

Boundary drawn between the *An[sienses?]* and the *Corinienses*, according to the agreement of both parties, measurements having been made, by order of Aulus Ducenius Geminus, propraetorian imperial legate.

18. Boundary Disputes between *Thasos* and *Philippi*?

Burton 2000, nos. 25 and 63

Date(s): AD 69-79

Sometime during the reign of Vespasian, L. Venuleius Pataecius, the procuratorial governor of *Thracia*, sent a letter to the city of *Thasos* (on the homonymous island in the Thracian Sea). In his letter, he addressed a number of concerns that the city had clearly brought to his attention, presumably by way of a letter or decree delivered by an embassy. At least one of these concerns appears to have been a dispute with an unnamed colony, probably *Philippi* (mod. Krenides). The governor wrote that he had delivered a verdict in the case, but its text is not extant. A number of other topics, including transport obligations associated with the *cursus publicus* and appeals against unspecified earlier verdicts delivered by one Lucius Antonius, ²⁵⁸ are also addressed. Before the inscription breaks off, Pataecius discusses his provisions for resolving what was clearly a **boundary dispute**, possibly the aforementioned matter involving *Philippi*. He has sent a soldier (presumably a surveyor) to deal with "the boundaries," and he promises the Thasians that, when he himself arrives, they will have nothing to complain about.

Perhaps the most startling aspect of this letter is the involvement of the governor of *Thracia*. The city of *Thasos* was a nominally "free city" of Greece, but fell administratively within the

²⁵⁸ Various theories about the identification and activities of this individual have been advanced. See the entries for L. Antoninus Saturninus and L. Antonius Naso in the Prosopographical Index. Given the context, Burton 2000, 211.63 supposes that this earlier decision also concerned boundaries.

province of *Macedonia*. Why would a free Greek city of *Macedonia* approach the governor of another province? The answer would seem to be that the problems addressed involved *Thasos' peraea* on the Thracian mainland, a well-attested possession from the 5th century BC onwards. This would explain a boundary dispute with *Philippi*, and would also explain why the governor of *Thracia* would have anything to say about transport obligations through *Thasos'* territory. These are all matters on which the governor of *Macedonia* can have had no influence.

There are two other demarcations registered in this catalog that probably related to the Thasian *peraea* in Thrace, but they do not seem to be related in any direct way to this affair.²⁵⁹

18.1. McCrum-Woodhead 457; *Thasos 2.186. See also: Pikoulas 1999, 897.4.

[Λ.?] Οὐεινούλειος Παταίκιος ἐπίτροπος αὐτοκράτο[ρος] / Καίσαρος Οὐεσπασιανοῦ Σεβαστοῦ Θασίων ἄρχουσ[ι] / βουλὴ δήμωι χαίρειν νας. καὶ πρὸς τὴν κολωνείαν ἐδικα[ι]/οδότησα ὑμᾶς καὶ ἀπειλήφατε τὸ ὀφειλόμενον ἀργύριον / καὶ τῆς ἀνγαρείας ὑμᾶς τὸ λοιπὸν ἀπολύω παρὲξ ὧν ἄν /⁵ διὰ τῆς ὑμετέρας χώρας νας. ἃ δὲ Λούκιος Άντώνιος ἀνὴρ / ἐπισημότατος κέκρικε περὶ τοῦ παρωχηκότος οὐκ ἐδυν[άμην] / [ά]νασκευασθῆναι στρατιώτην ἔδωκα ὑμεῖν περὶ τῶν ὅρων, / ὅταν αὐτὸς γένομαι (sic) κατὰ τόπον στήσσω καὶ ἐν οὐδενὶ μέμψε/[σ]θε προθυμίαν γὰρ ἐκτενεστάτην ἔχω τοῦ ποιεῖν εὖ πάντας ἐπὶ Θ[ρά]/¹ο[κ]ην, ὑμᾶς δὲ δὴ καὶ σφόδρα. νας. / Υἱὸς σώφρω[ν] φίλος ὧν [••••] ξένος τοσοῦτος [- - - - - - -

Lucius(?) Venuleius Pataecius, procurator of Caesar **Vespasian** Augustus, to the magistrates, council and people of *Thasos*, greetings. I have delivered a verdict to you with respect to the colony, you have received the money owed (to you), and further I would release you from transport service obligations (*angareia*) except for those things that (move) through your territory. I am not able to reverse the past judgements of Lucius Antonius, *anēr episēmotatos*. With respect to the boundaries, I have given you a soldier. When I myself come to the site, I will place them (i.e., the boundary markers) and you will have nothing to complain about, for I have the most assiduous desire to make everything better in Thrace(?), and indeed especially you. ...

19. Boundary Dispute between Asseria and Alveria

Burton 2000, no. 18

Date(s): AD 69

This text, discovered at modern Dobropoljci in Croatia, ²⁶⁰ just south of ancient *Alveria* (mod. Gradina in Bjelina) records the appointment of several otherwise unknown individuals with *tria*

²⁵⁹ Instances 88 and 95.

²⁶⁰ NB, at Wilkes 1974, 262 no. 11 the findspot is described as "probably Alveria," but now see BAtlas 20 C5 following Miletić 1993, 69.

nomina as iudices dati in a **boundary dispute** between Asseria (mod. Podgrađe near Benkovac) and Alveria.

19.1. *Wilkes 1974, 262 no. 11; ILS 5951; CIL 3.9938; EE 2.563.

Ti(berius) [Cl]audius L[---] / C(aius) Avilius Clemen[s], / L(ucius) Coelius Capella, P(ublius) / Raecius Libo, P(ublius) Valeri/us Secundus iudices / dati a M(arco) Pompeio Silva/no leg(ato) Aug(usti) pro pr(aetore) inter / rem p(ublicam) Asseriatium et rem p(ublicam) Al/veritarum in repraesenti per / [sententi]am suam determinaverunt.

Tiberius Claudius L[---], Gaius Avilius Clemens, Lucius Coelius Capella, Publius Raecius Libo, Publius Valerius Secundus, *iudices* appointed by Marcus Pompeius Silvanus, propraetorian imperial legate, established the boundary between the *res publica* of the *Asseriates* and the *res publica* of the *Alveritae* through their own verdict in the current case.

20. Iudex datus in Dalmatia

Burton 2000, no. 19

Date(s): AD 69-79

This fragmentary boundary marker records the placement of boundaries between two parties whose names are lost. The demarcation, carried out under the authority of the emperor Vespasian, was conducted by a military tribune who had been appointed as a judge (*iudex datus*) in the case by the governor of *Dalmatia*. The findspot is not known.

20.1. *EDH HD000701; Wilkes 1974, 268 no. 25; AE 1967.355; Wilkes 1967.

C(aius) Petillius Firm[us] / trib(unus) mil(itum) leg(ionis) IIII F(laviae) [f(elicis)] / ex auctoritate / Imp(eratoris) Vespasian[i] / iudex datus a [L(ucio)?] / [Plo]tio Pegaso l[eg(ato) pr(o) pr(aetore)] / [Imp(eratoris)] Vespasian[i Aug(usti)] / [terminos posuit inter - - - - -

Gaius Petillius Firmus, *tribunus militum* of *Legio III Flavia Felix*, appointed – on the authority of the emperor **Vespasian** – as judge by Lucius Plotius Pegasus, propraetorian legate of the emperor Vespasian Augustus, placed boundary markers between ...

21. Violent Boundary Dispute between *Oea* and *Lepcis Magna*

Burton 2000, no. 75

Date(s): AD 69-74

The classification of this incident as a **boundary dispute** depends upon the intersection of literary and epigraphic sources. Taken on their own, the boundary markers (Texts 21.3 and 21.4) could only be classified as authoritative demarcations.

A territorial dispute between the prominent Tripolitanian cities of *Lepcis Magna* and *Oea* coincided with a struggle over the imperial succession and the attendant assassination of the proconsul of Africa in AD 69/70.²⁶¹ This dispute is particularly important to the present study for two reasons. First, it represents a Roman administrative failure and its significant consequences: the dispute, apparently unaddressed by a distracted imperial administration, ultimately erupted into a war. Secondly, our sources are both literary and documentary, providing us not only with documentation of the dispute, but also with a suggestion of causes and a clear idea of who the Romans felt were the guilty party.

It is Tacitus, in narrating the assassination of the proconsul of Africa, L. Calpurnius Piso, who provides the most extensive account of the dispute. 262 Piso's demise was wrought by auxiliary troops on the order of C. Valerius Festus, then legate in command of Legio III Augusta. The murder, carried out in Piso's house in Carthage, was allegedly provoked by public disorder in the city, the withdrawal of the proconsul from his public duties, suspicions of his intentions regarding the imperial succession, and Festus' own desire to distance himself from a previously close relationship with Vitellius. The public uproar in Carthage had been provoked by the arrival of a centurion allegedly sent by C. Licinius Mucianus who "went on and on in a loud voice praising Piso as if he were the *princeps*, and admonishing the bystanders ... that they should applaud these praises." For his trouble, the centurion met execution on Piso's order, but the clamor of the Carthaginians, who had gathered in the forum and demanded Piso's presence—possibly to hail him as emperor?—led Piso to barricade himself in his house and "not even to carry out his accustomed duties." Tacitus implies that Festus was nervous about his command, and feared that the legion might join in a public acclamation of Piso: Festus awaited word of the assassination at *Hadrumetum*, then "hurried to the legion," where he took various disciplinary actions consistent with the suppression of military unrest. 263 In any case, it is this collapse of Roman administration in North Africa that permitted a simmering border dispute to erupt into full-blown warfare, which Festus ultimately had to resolve by force of arms.

The Elder Pliny (Text 21.2) reinforces the perception that the Romans blamed *Oea* for the affair, writing about "the last war, which was waged against the *Oeenses* at the beginning of Vespasian's reign." Certainly the step of making an alliance with a militarily capable people from beyond the Roman sphere, and invoking their aid in attacking another important city with close

²⁶¹ Both cities were clearly *civitates* of the Roman province by this time, but their exact statuses with respect to Rome remain unclear. See Mattingly 1994, 50-52.

²⁶² Tac. Ann. 4.48-50. Text 21.1 is the latter portion of chapter 50, which describes the dispute itself.

²⁶³ Brice 2002, 94-95.

ties to Rome, vitiated whatever arguments the Oeans might have been able to cite in their own favor in the boundary dispute. But the real failure here is that of the Roman administration itself. With its decision-makers distracted or incapacitated by the high-level struggle for power, provincial administration, at least in North Africa, shuddered to a halt.

In AD 74, a well-attested but enigmatic imperial legate, C. Rutilius Gallicus, placed boundary markers between the territories of the two cities, apparently bringing the affair to a legal end as well.²⁶⁴ Only two markers are known to survive, and neither was published until 1979 (Texts 21.3 — 21.4).²⁶⁵

A much-discussed reference to the "tribute of Libya" in Statius' later poem about Gallicus is often brought to bear on the question of his role in these matters, but it is too elliptical to be conclusive (Text 21.5).

Tacitus and Pliny make clear the character and consequences of the dispute, but without the boundary markers we would be left to wonder whether the matter had constituted simple theft of resources (a violation of borders) rather than a dispute over the location of the boundaries themselves. Conversely, the language of the boundary markers is indistinguishable from that employed on other markers classified herein as no more than authoritative demarcations. Without Tacitus and Pliny, we could not be confident in associating these markers with a dispute. Taken together, all the evidence characterizes this incident as similar, in origins and nature, to a long-running dispute between *Coronea* and *Thisbe* that had involved the seizure of grazing animals pastured on land claimed by both parties.

²⁶⁴ Gallicus' role and mission in North Africa are a matter of speculation. See the Prosopographical Index, s.v. "Iulius Cordinus Caius Rutilius Gallicus" for discussion and references.

²⁶⁵ Also in AD 74, Gallicus, in cooperation with the imperial legate in command of *legio III Augusta*, carried out a redemarcation of the *Fossa Regia* (see Instance 83), but any relationship between the two activities remains uncertain.

²⁶⁶ See, for example, the various authoritative demarcations of the territory of the Musulamii and their neighbors (Instance 89).

²⁶⁷ Some caution is still warranted: Gallicus may have summarily established a new boundary, inflicting punishment on *Oea* through loss of territory, rather than simply adjudicating and properly marking the original boundary; but Di Vita-Evrard 1979, 89-92 argues, partly on the basis of distance measurements on Tiberian-era milestones, that what Gallicus marked was a long-standing boundary between the two cities' territories.

²⁶⁸ Instance 43, Texts 43.6 - 43.9.

21.1. *Tac. Hist. 4.50.

mox Oeensium Lepcitanorumque discordias componit, quae raptu frugum et pecorum inter agrestis modicis principiis, iam per arma atque acies exercebantur; nam populus Oeensis multitudine inferior Garamantas exciverat, gentem indomitam et inter accolas latrociniis fecundam. unde artae Lepcitanis res, lateque vastatis agris intra moenia trepidabant, donec interventu cohortium alarumque fusi Garamantes et recepta omnis praeda, nisi quam vagi per inaccessa mapalium ulterioribus vendiderant.

Later he (Festus) settled the discord between the *Oeenses* and the *Lepcitani*, which arose from minor theft of crops and cattle among country folk, but now was being cultivated with weapons and troop formations. For the people of *Oea*, being fewer in number, had sent for the *Garamantes*, a wild people grown prosperous through banditry among their neighbors. Thus the *Lepcitani*, with their affairs in crisis and their fields ravaged far and wide, trembled within their city walls until the *Garamantes* were put to flight by the arrival of cohorts and alae. All the booty was recovered except for that which they sold to people from beyond (the borders) as they wandered among the distant native settlements.²⁶⁹

21.2. *Plin. NH 5.36, 38.

Ultra eum deserta, mox Thelgae oppidum Garamantum ... clarissimumque Garama caput Garamantum: omnia armis Romanis superata et a Cornelio Balbo triumphata, ... Ad Garamantas iter inexplicabile adhuc fuit latronibus gentis eius puteos ... harenis operientibus. proxumo bello, quod cum Oeensibus gessere initiis Vespasiani imperatoris, conpendium viae quadridui deprehensum est ...

Beyond (Black Mountain) lies the desert, and then *Thelgae*, a town of the *Garamantes* ... and then most famous *Garama*, capital of the *Garamantes*, all overcome with Roman arms, all defeated by Cornelius Balbus ... Hitherto the route to Garamantian territory had been impassable because Garamantian bandits filled up the wells with sand ... In the last war, which was waged against the *Oeenses* at the beginning of Vespasian's reign, a shortcut in the four-day trip was discovered ...

21.3. *EDH HD008548; AE 1979.649; Di Vita-Evrard 1979, 78-81.4.

Ex [auctoritate / I]mp(eratoris) Ves[pasiani Cae]/saris Aug(usti) p(atris) p(atriae) pon[t(ificis) max(imi) trib(unicia)] / potest(ate) V imp(eratoris) XIII c[o(n)s(ulis) V desig(nati) VI] / Q(uintus) Iulius Cordinus [C(aius)? Rutilius Galli]/⁵cus leg(atus) Aug(usti) pro [pr(aetore) co(n)s(ul) pont(ifex)] / limitem inter Le[pcitanos et Oeen]ses derexit(!) Lepcitan[i pub(lice)? pos(uerunt)?]

²⁶⁹ Mapalia (rendered here as "native settlements") is a term used by several Latin writers to name a particular style of hut, cottage or tent, indigenous to northern Africa: aedificia Numidarum agrestium, quae mapalia illi vocant, oblonga, incurvis lateribus, tecta quasi navium carinae sunt = "the buildings of the rural Numidians, which they call mapalia, are built like the hulls of ships: oblong, with curved sides" (Sall. Iug. 18.8.1-4). There is some debate as to whether these correspond to temporary structures erected by nomadic or semi-nomadic peoples, and whether any individual ancient author understood them as such. In general, see Whittaker 1978, 347 and Magalhães 1994. Tacitus' main point here seems to be to emphasize the inaccessible nature of the predesert areas to which the Garamantes retreated.

By the authority of the emperor **Vespasian** Caesar Augustus, father of the country, pontifex maximus, (holding the) tribunician power for the 5th time, (saluted as) imperator 13 times, consul 5 times, (consul-)designate for the 6th time. Quintus Iulius Cordinus Caius Rutilius Gallicus, propraetorian imperial legate, consul and pontifex, set the boundary between the *Lepcitani* and the *Oeenses*. The *Lepcitani* ...

21.4. *EDH HD008545; AE 1979.648; Di Vita-Evrard 1979, 77-78.3.

[Ex au]ctoritate / [Imp(eratoris) Ve]spasiani / [Caes]aris Aug(usti) p(atris) p(atriae) / [po]nt(ificis) max(imi) trib(unicia) pot(estate) / [V im]p(eratoris) XIII co(n)s(ulis) V desig(nati) VI / [Q(uintus) Iulius] C[ord]inus Rutilius / [Gallicus leg(atus) Aug(usti) pro pr(aetore)] co(n)s(ul) pont(ifex) / [limitem inter Lep]citanos / [et Oeenses direxit]

See Text 21.3.

21.5. Stat. Silv. 1.4.83-86.

... Libyci quid mira tributi | obsequia et missum media de pace triumphum | laudem, et opes, quantas nec qui mandaverat ausus | exspectare fuit, ...

As for Libya: how to praise the miraculous obedience displayed through *tributum* and a triumph returned in the midst of peace; so much more wealth than the commander (i.e., emperor) had dared to hope ...?

22. Dispute between the *Patulcenses* and *Galillenses*

Burton 2000, nos. 2, 3 and 4

Date(s): AD 69

This **boundary dispute** engaged the attention of three successive governors of the island of *Sardinia*.

A bronze tablet discovered near the village of Esterzili in south-central Sardinia in 1866 records the verdict of the proconsul L. Helvidius Agrippa in a boundary dispute between two communities, the Roman colonists known as the *Patulcenses Campani* (located near mod. Partedi) and the indigenous *Galillenses* (near mod. Gerrei). The decision was issued in mid March of AD 69, but the case had begun and had received ongoing attention under Agrippa's two immediate predecessors.

²⁷⁰ The colonial foundation is of uncertain date.

22.1. *Cadoni 1993; ILS 5947; CIL 10.7852.

Imp(eratore) Othone Caesare Aug(usto) co(n)s(ule) XV K(alendas) Apriles. / Descriptum et recognitum ex codice ansato L(uci) Helvi Agrippae procons(ulis) quem pro t'ulit Cn(aeus) Egnatius / Fuscus scriba quaestorius in quo scriptum fuit it quod infra scriptum est tabula V c(apitibus) VIII / et VIIII et X. III Idus Mart(ias) L(ucius) Helvius Agrippa proco(n)s(ul) caussa cognita pronuntiavit: / Cum pro utilitate publica rebus iudicatis stare conveniat et de caussa Patulcensi/⁵um M(arcus) Iuventius Rixa, vir ornatissimus, procurator Aug(usti) saepius pronunt<i>averit fi/nes Patulcensium ita servandos esse ut in tabula ahenea a M(arco) Metello ordinati / essent ultimoque pronuntiaverit Galillenses frequenter retractantes controver/sia m nec parentes decreto suo se castigare voluisse sed respectu clementiae optumi / maximique principis contentum esse edicto admonere ut quiescerent et rebus $/^{10}$ iudicatis starent et intra K(alendas) Octobr(es) primas de praedis Patulcensium decederent vacuam/que possessionem traderent; quodsi in contumacia perseverassent, se in auctores / seditionis severe anima adversurum; et postea Caecilius Simplex, vir clarissi/mus, ex eadem caussa aditus a Galillensibus dicentibus tabulam se ad eam rem / pertinentem ex tabulario principis adlaturos pronuntiaverit humanum esse l^{15} dilationem probationi dari et in K(alendas) Decembres trium mensum spatium dederit in/tra quam diem, nisi forma allata esset, se eam quae in provincia esset secuturum; / ego quoque aditus a Galillensibus excusantibus quod nondum forma allata esset, in / K(alendas) Februarias quae p(roximae) f(uerunt) spatium dederim et moram <i>llis possessoribus intellegam esse iucun/dam: Galil(l)enses ex finibus Patulcensium Campanorum quos per vim occupaverant intra K(alendas) /20 Apriles primas decedant: quodsi huic pronuntiationi non optemperaverint, sciant / se longae contumaciae et iam saepe denuntiata(e) animadversioni obnoxios / futuros. In consilio fuerunt: M(arcus) Iulius Romulus leg(atus) pro pr(aetore), T(itus) Atilius Sabinus q(uaestor) / pro pr(aetore), M(arcus) Stertinius Rufus f(ilius), Sex(tus) Aelius Modestus, P(ublius) Lucretius Clemens, M(arcus) Domitius / Vitalis, M(arcus) Lusius Fidus, M(arcus) Stertinius Rufus. Signatores: Cn(aei) Pompei Ferocis, Aureli /25 Galli, M(arci) Blossi Nepotis, C(ai) Cordi Felicis, L(uci) Viqelli Crispini, C(ai) Valeri Fausti, M(arci) Luta/ti Sabini, L(uci) Coccei Genialis, L(uci) Ploti Veri, D(ecimi) Veturi Felicis, L(uci) Valeri Pepli.

When the emperor **Otho** Caesar Augustus was consul, on the 15th day before the Kalends of April. Copied and verified from the bound codex of Lucius Helvius Agrippa, proconsul, which Cnaeus Egnatius Fuscus, *scriba quaestorius*, brought out, in which was written that which is written below. Tablet 5, at headings 8, 9 and 10:

3 days before the Ides of March, Lucius Helvius Agrippa, proconsul, when the case had been heard, declared:

Since for the public good it is appropriate to stand by prior judgments and since concerning the case of the *Patulcenses*, Marcus Iuventius Rixa, *vir ornatissimus* and imperial procurator, often delivered the verdict that the boundaries of the *Patulcenses* must be preserved just as they were arranged on the bronze tablet by Marcus Metellus, and finally he ruled that he wanted to punish the *Galillenses*, who had frequently renewed the dispute and not obeyed his decree, but out of respect for the mercy of the best and greatest princeps he was content to admonish them in an edict that they should be quiet and abide by rulings in prior cases and by the Kalends of October next they should withdraw from the lands of the *Patulcenses* and hand over the empty property, and that if they persisted in their disobedience he would direct his severity against those responsible for the rebellion; and since after this Caecilius Simplex, *clarissimus vir*, in the same case, in response to the *Galillenses*' statement that they would produce a tablet pertaining to the matter from the *tabularium principis*, ruled that it was humane for an evidentiary postponement to be granted and gave them a space of three months until the Kalends of December by which day if the map was not produced he would follow the one that was in

the province; and since I also, having been approached by the *Galillenses* with the excuse that the map had not yet been produced, granted them a delay until the Kalends of that February which was next, and I understood that the delay was agreeable to the *possessores*, let the *Galilenses* withdraw from within the boundaries of the *Patulcenses Campani*, which they have occupied by force, before the next Kalends of April. And if they do not obey this proclamation, let them know that they will be liable to punishment for their longstanding and already frequently denounced disobedience.

In his *consilium* were: Marcus Iulius Romulus. propraetorian legate; Titus Atilius Sabinus, propraetorian quaestor; Marcus Stertinius Rufus the son; Sextus Aelius Modestus; Publius Lucretius Clemens; Marcus Domitius Vitalis; Marcus Lusius Fidus; and Marcus Stertinius Rufus.

Witnesses: Cnaeus Pompeius Ferox; Aurelius Gallus; Marcus Blossus Nepos, Gaius Cordus Felix, Lucius Vigellus Crispinus; Gaius Valerius Faustus; Marcus Lutatus Sabinus; Lucius Cocceius Genialis; Lucius Plotius Verus; Decimus Veturus Felix; Lucius Valerius Peplus.

23. Boundary Dispute between Mopsouestia and Aegae

Burton 2000, no. 46

Date(s): AD 69-96?

A fragmentary boundary marker attests to a **boundary dispute** between the cities of *Mopsouestia* and *Aegae* in *Cilicia*. Enough of the text survives for us to identify distinctive terminology that indicates a judicial context (*in re praesenti* = in the present case) combined with boundary demarcation (*fines ... terminavit* = he marked the boundaries).

Doblhofer liberally restores the beginning of the text on the basis of other boundary markers to read: [ex auctoritate / imp(eratoris) Caesaris / Vespasiani? Aug(usti) ... Even if he is correct, this need not mean that the emperor was directly involved. In lines 4 and 5, Doblhofer gives us two options for the beginning of the main clause that constitutes that remainder of the text. He must provide a nominative subject for the verb terminavit in lines 12-13, and he must accommodate the ablative phrase of which the fragmentary titulature ---] Asprenate C[---]/ano leg(ato) pro prae(atore) provinciae Ciliciae is the end. He gives us two options: [... Name proc(urator) Aug(usti) / decernente P(ublio)? Nonio] Asprenate etc. and [... Name iudex datus a P(ublio)? Nonio] Asprenate etc. Asprenas' identity is uncertain. He may be one of two known Nonii attested under the reigns of Vespasian and Domitian, hence the date range for this text. Depending on which ablative construction we accept for the supplement, we must see Asprenas as either taking a subsidiary role (decernente) to whoever was named as the subject of the verb terminavit, or as the official with primary authority over the case, who then appoints a iudex

_

²⁷¹ *Pace* AE 1966.486.

whose name is lost. I am inclined to accept the latter proposition, for there is only one other boundary marker in which *decernente* is thus used.²⁷² In that text the proconsul judges a dispute that seems to have been delegated to him by the emperor. The verb *termino* is not used. On the other hand there are several boundary texts that employ the verb *termino* in the third person singular perfect as this one does.²⁷³ In each of these cases, it is the official with final judiciary control of the case who is the subject of the sentence (one proconsul, one imperial legate and one *curator alvei et riparum Tiberis et cloacarum urbis*). There is no exact parallel for a text with *terminavit* in which a *iudex* is mentioned, but given the fact it is the *iudex* who has final judicial authority in such a case, it would be natural for his name to appear in the nominative.

23.1. *EDH HD016472; AE 1966.486; Doblhofer 1960.

-----/ P(ublio) Nonio] / Asprenate C[---]/ano leg(ato) pro pr(aetore) / provinciae Cili/⁵ciae in re praesen/ti fines inter / Mopseotas et / Aegenses termi/navit

... (by Publius Nonios) Asprenas C[---]anus, propraetorian imperial legate of the province of *Cilicia*, in the present case between the *Mopseotae* and the *Aegenses*, (he--not Asprenas) marked the boundaries.

24. Boundary Dispute between Histonium and Tillius Sassius

Date(s): late 1st century AD

This **boundary dispute** (*actum esse in re praesenti de controversia finium*) between a private landowner and the city of *Histonium* (mod. Vasto in Italy) was handled by binding arbitration in front of an arbiter selected by both parties to the dispute. It is one of only two documented cases of the use of binding arbitration in boundary disputes, and the only one to involve a civic entity.²⁷⁴

Although the inscription breaks off in the middle, enough survives for us to understand its content. It records the verdict (*sentetia*, sic) of one Gaius Helvidius Priscus, acting as arbiter in a boundary dispute between an otherwise unknown individual named Tillius Sassus (represented by his procurator) and the *municipium Histoniensium*, represented by an advocate. At issue was the border separating two *fundi*, one owned by each party. The surviving part of Priscus' verdict,

²⁷² Instance 53.

²⁷³ Instances 64 and 84, as well as a number of boundary markers of the bed and banks of the Tiber (e.g., EDH HD021346 = CIL 6.40867 and EDH HD021343 = CIL 6.40868). There are two other cases where the verb or verb form is supplemented and may be suspect: Instances 98 and 82.

²⁷⁴ The other dispute, which involved private parties on both sides, is documented on tablets from Herculaneum (see note 156).

which is given in the first person, concerns an important piece of evidence brought forward by the parties to the case: an old book that recorded a *determinatio* made during the resolution of an earlier dispute over the same property line. If scholarly conjectures going back to Dessau are correct in identifying Priscus with the famous Stoic philosopher and senatorial critic of Vespasian, then his verdict must have been delivered sometime in the latter part of the first century. The earlier case had been decided by an individual named Quintus Coelius Gallus in AD 19 (according to the consular date formula), some 50 or more years earlier. He, evidently, had served as the arbiter or *iudex* in the earlier case, and had produced a *determinatio* as part of his verdict.

Of particular interest is Priscus' language in his prologue to the recitation and explication of the old *determinatio*. He describes the character of the original case and Gallus' verdict using the same mixture of legal and boundary-related terms that we find in most of the extant Latin boundary-dispute evidence: *actum esse in re praesenti de controversia finium, ita ut utrisque dominis tum fundorum praesentibus Gallus terminaret* (as the *actio* in the case concerned a "dispute of boundaries," so, with the then owners of both *fundi* present, Gallus established the border). There is a clear linkage in Priscus' phrase between the specific type of *actio* (*de controversia finium*), the presence of the owners of the property, and the process of *terminatio* carried out by Gallus himself. Furthermore, Priscus' recitation of the old *determinatio* emphasizes Gallus' personal involvement in the placing of the boundaries and boundary markers (*primum palum figeret ... palum fixum esse a Gallo ... derectam finem ab eodem Gallo*).

It seems difficult to escape the conclusion that the resolution of an *actio de controversia finium* required – even if resolved extra-judicially through an *arbiter ex compromisso* – the presence of the judicially competent individual and the owners (or their legal representatives) on the disputed territory itself so that the path of the boundary and the character of the markers could be demonstrated to them. It is clear from much other evidence that the Romans willingly and easily transferred the terminology and procedures of the private law in this area to disputes in the provinces between every conceivable combination of litigants: private and civic, citizen and peregrine. If it was a requirement of the private law, as we have argued above, that the verdict in a boundary dispute be delivered on site in the presence of the parties to the case, then the extrapolation of this requirement to the provinces also may help to explain a number of factors. First of all, it will explain the frequent emphasis in verdicts on the presence of the governor or

²⁷⁵ PIR² H59.

²⁷⁶ On the basis of surviving evidence, this would appear to have been the universal form employed for rendering decisions in boundary disputes during the Roman empire, whether the case was resolved by an arbiter, an appointed *iudex*, a governor, or a special legate of the emperor.

iudex on the boundary in question. It also explains why the governor writing to *Thasos* says that he had sent a soldier for the boundaries, and that when he arrived himself he would establish them. The official resolution of the matter had to wait for his arrival. The prevalence of delegation (both by governors and by emperors) is also explained: if someone actually had to go to the site, it would rarely be practical for a governor to do so, let alone an emperor.

24.1. *ILS 5982. See also: Campbell 2000, 470; CIL 9.2827.

C(aius) Helvidius Priscus, arbiter / ex conpromisso inter Q(uintum) / Tillium Eryllum, procurato/rem Tilli Sassi, et M(arcum) Paquium Aulanium, / actorem municipi Histoniensium, / utrisq(ue) praesentibus iuratus sentetiam / dixit in ea verba, q(uae) inf(ra) s(cripta) s(unt). / Cum libellus vetus ab actoribus Histoniensium / prolatus sit, quem desideraverat Tillius / Sassius exhiberi, et in eo scriptum fuerit, / o eorum locorum, de quibus agitur, fa/ctam determinationem per Q(uintum) Coelium Gal/lum: M(arco) Iunio Silano L(ucio) Norbano Balbo / co(n)s(ulibus) VIII k. Maias inter P(ublium) Vaccium Vitulum / auctorem Histoniensium fundi Heriani/ ci et Titiam Flaccillam proauctorem Til/li Sassi fundi Vellani a(ctum) e(sse) in re praesenti / de controversia finium, ita ut utrisq(ue) / dominis tum fundorum praesentibus / Gallus terminaret, ut primum palum / figeret a quercu pedes circa undec/im, abesset autem palus a fossa neque / apparet, quod perdes scripti essent / propter vetustatem libelli interrupti / in ea parte, in qua numerus pedum / scritus (sic) videtur fuisse -- inter fos/sam autem et palum iter communem / esset, cuius propietas soli Vacci Vituli esset; / ex eo palo e regione ad fraxinum notatam pal/um fixum esse a Gallo et ab eo palo e regione ad o supercilium ultimi lacus Serrani in partem sinisterio/[rem d]erectam finem ab eodem Gallo / - - - - - - - -

Gaius Helvidius Priscus, *arbiter ex conpromisso* between Quintus Tillius Eryllus, procurator of Tillius Sassius, and Marcus Paquius Aulanius, advocate of the *municipium* of the *Histonienses*, with both parties present and himself having taken the oath, proclaimed his verdict in those words which are written below.

Since an old book (petition?) that Tillius Sassius wanted considered as evidence was produced by the advocates of the *Histonienses*, and in it was written a *determinatio* of those places concerned in this dispute that had been made by Quintus Coelius Gallus when Marcus Iunius Silanus and Lucius Norbanus Balbus were consuls, 8 days before the Kalends of May, between Publius Vaccius Vitulus, prior owner of the *Histonienses' Fundus Herianicus* and Titia Flacilla, even earlier owner of Tillius Sassus' *Fundus Vellanus*, and as the case concerned a boundary dispute, so, with the owners of both estates present, Gallus established the border, with the result that he placed the first stake about eleven feet from the oak tree, then a stake that was some distance from the ditch (but how many feet were written does not appear because, on account of age, the book has a gap in that spot where the number of feet appears to have been written), then between the ditch and the stake there was a common road of which the sole owner was Vaccus Vitulus. From this stake in a straight line to the marked ash tree a stake was placed by Gallus and from that stake in a straight line to the shore of the last lake of Serranus, on the left side the boundary was drawn by Gallus himself ...

25. Dispute between the *Vanacini* and the *Mariani*

Burton 2000, no. 1

Date(s): AD 77

A **boundary dispute** (*de controversia finium*) between long-established Roman colonists and an indigenous community on the island of *Corsica*, attested by a rescript of the emperor Vespasian.

In his rescript to the *Vanacini* – an indigenous community whose territory spanned the base of the Cap Corse peninsula on Corsica – Vespasian delegates resolution of their boundary dispute with long-established Roman colonists at *Mariana* to the provincial governor. He explicitly indicates that a surveyor has been provided to support the governor's investigation. The rescript also acknowledges the praise conferred upon a former governor of the island by the delegates of the *Vanacini* and, in addition, confirms the unspecified *beneficia* that had been conferred on the *Vanacini* by Augustus and retained by the *Vanacini* through the reign of Galba.

This incident should be compared to Text 16.5 in which a provincial governor confirms that he has permitted an embassy of thanksgiving for a previous governor to be conveyed onward, presumably to Rome. There is no obvious reason why the provincial governor of *Corsica* could not have handled a boundary dispute between two communities in his own province; nothing about the present case seems to require the emperor's involvement. It would seem, again on the model of the Histrian documents, that he could even have confirmed the imperial *beneficia*. We can speculate that it was anxious concern on the part of the *Vanacini* themselves that led them to ask the governor for permission to convey praise of a former governor to the emperor in Rome. This embassy gave them the opportunity to bundle together their other major concerns: the boundary dispute and the *beneficia* (the latter a particularly great concern given the chaos that had preceded Vespasian's rise to power). Vespasian acknowledges the praise of the former governor, confirms the validity of the *beneficium* and returns the boundary dispute to the governor, who is in the best position to resolve it.

25.1. *CIL 10.8038.

Imp(erator) Caesar Vespasianus Augustus / magistratibus et senatoribus / Vanacinorum salutem dicit / Otacilium Sagittam amicum et procu/ratorem meum ita vobis praefuisse /5 ut testimonium vestrum mereretur / delector / de controversia finium quam ha/betis cum Marianis pendenti ex / i(i)s agris quos a procuratore meo /10 Publilio Memoriale emistis ut / finiret Claudius Clemens procu/rator meus scripsi ei et mensorem / misi / beneficia tributa vobis ab divo /15 Augusto post septimum consula/tum quae in tempora Galbae reti/nuistis confirmo / egerunt legati / Lasemo Leucani f(ilius) sacerd(os) Aug(usti) /20 Eunus Tomasi f(ilius) sacerd(os) Aug(usti) / C(aio) Arruntio Catellio Celere M(arco) / Arruntio Aquila co(n)s(ulibus) IIII Idus Octobr(es)

²⁷⁷ This was part of *Histria's* long-abiding effort to gain regular confirmation of its ancestral rights to revenue from the preservation of fish harvested in the Danube delta, originally "granted by the emperor."

The emperor Caesar **Vespasian** Augustus sends greetings to the magistrates and senators of the *Vanacini*. I am glad that Otacilius Sagitta, my friend and procurator, governed you in such a way that he deserves your praise. As regards the boundary dispute that you have with the *Mariani* relating to those fields that you bought from my procurator Publilius Memorialis: in order that Claudius Clemens, my procurator, might establish the boundary, I have written to him and I have sent a surveyor. I confirm the *beneficia*, given to you by the god Augustus after his seventh consulate, which *beneficia* you retained to the time of Galba.

The legates who acted were: Lasemo, son of Leucanus, priest of Augustus and Eunus, son of Tomasus, priest of Augustus. [Dated:] when Gaius Arruntius Catellius Celer and Marcus Arruntius Aquila were consuls, four days before the Ides of October.

26. Boundary Dispute Involving Cisimbrium

Burton 2000, no. 6

Date(s): AD 84

An Augustan boundary marker (*terminus Augustalis*) was placed "in accordance with the verdict of the proconsul" (*[ex] decreto ... proconsulis*), thereby indicating that a **boundary dispute** had occurred.

This *terminus Augustalis* is unique in that it is the only published such stone to record the involvement of a provincial governor in its establishment. Most others record either the direct involvement of the emperor Augustus himself, or do not make any indication of authority beyond that implied by their title. Further, this is one of only two that can be reliably interpreted as evidence of a dispute. ²⁷⁸

This particular marker was placed during Domitian's tenth consulate. It demarcates territory belonging to the *Municipium Flavium Cisimbrense* (*Cisimbrium*, mod. Zambra). The dispute must have involved a boundary originally demarcated by Augustan-era markers. Only one other *terminus Augustalis* can be securely dated to Domitian's reign.²⁷⁹

²⁷⁸ See Instance 1. The *termini Augustales* constitute a special category of boundary marker. See further note 220.

 $^{^{279}}$ CIL 2^2 .7.871 = ILS 5972. It separated the c(oloni) c(oloniae) C(laritatis) Iul(iae) Ucubitanor(um) from the Aug(ustani) Emer(itenses).

26.1. *EDH HD000993; CIL 2².5.302; AE 1986.334c; Stylow 1986, 295; AE 1982.544; AE 1977.440; HEp 1 (1989) 288.²⁸⁰

Imp(eratore) Domitiano Ca[es(are) Aug(usto)] / Aug(usti) f(ilio) X co(n)s(ule) term[inus] / Augustalis munici[pi Fla]/vi Cisimbrensis [ex] / decreto L(uci) Antisti [Rus]/⁵tici proco(n)s(ulis).

When the emperor **Domitian** Caesar Augustus, son of Augustus was consul for the 10th time. Augustan boundary marker of the *Municipium Flavium Cisimbrense*, in accordance with the verdict of Lucius Antistius Rusticus, proconsul.

27. Boundary Dispute between Capua and Plotius Plebeius on Crete

Date(s): AD 84

A single boundary marker, found at Acharnes in Crete, attests to a dispute about land ownership between a citizen of the Roman colony of *Capua* in Italy, which controlled land in central Crete, and a citizen of the Roman colony at *Cnossus*.

In a seminal 1976 article, K. Rigsby reconstructed the outlines of civic territories in central Crete and the changes produced by Roman engagement with the island.²⁸¹ His argument hinges on this inscription when taken together with several others.²⁸² Both colonies were separate Roman foundations, *Cnossus* by Caesar and *Capua* by Augustus. During this same period, *Capua* was granted significant territory in Crete in compensation for Campanian land redistributed to Augustus' veterans, although this land on Crete was probably not occupied to any great degree by Capuans themselves. The Capuan *praefectura* on Crete reportedly generated an annual income of 1,200,000 sesterces, probably derived from rents paid by the indigenous population from whom the land had been taken.²⁸³ By the end of Augustus' reign, the central valley of Crete from north to south was wholly controlled by Roman citizen communities (*Colonia Cnossus*, *Colonia Capua* and *Gortyn*).

The present inscription reveals an otherwise unknown individual of the late first century AD, Plotius Plebeius, engaged in a dispute with the *Colonia Capua* that ultimately resulted in the

Domitian was consul for the 10th time, not 9th as erroneously printed in AE 1986.334c = Stylow 1986, 295, corrected in CIL 2^2 .5.302 and EDH HD000993.

²⁸¹ Rigsby 1976.

²⁸² Rigsby 1976, *passim*. Relevant inscriptions of the Roman era include our Instance 67.

²⁸³ The relevant ancient sources are Appian, BCiv. 4.3, Cass. Dio 49.14.5, Strabo 10.478 and Vell. Pat. 2.81.1-2. The discussion at Rigsby 1976, 322-324 and 327-329 is essential. More recently, Baldwin Bowsky 1987 has speculated that the Capuan grant in Crete was part of a sweeping Augustan reorganization of landholding in the area, overseen by the proconsul M. Nonius Balbus in ca. 36-27 BC.

placement of boundary markers. Members of Plebeius' family are known to have been prominent citizens of the Roman colony at *Cnossus*, so the land in question must either have been in Cnossan territory abutting the Capuan *praefectura*, or was even surrounded by Capuan holdings but – Plebeius would have argued – exempted by the original Augustan apportionment.

The validity of the boundary markers is explicitly reinforced by three factors: a verdict (sententia) of the recently deceased emperor Titus, a civic decree (decretum) of Colonia Capua, and the agreement of both parties ([ex c]onventione u[tri]usq(ue) [parti]s). A. Aichinger has convincingly demonstrated why such a case would have involved the emperor personally: the two parties fell under separate jurisdictions (Plebeius, via Cnossus, under the proconsul of Crete, Capua in Italy directly under the emperor). What is surprising, on the model of our other evidence, is the way in which Titus' involvement is characterized as a verdict (i.e., a judicial decision), with the corresponding diminution of his delegate's role to that of a mere implementer. Given the requirement in boundary disputes for the final verdict to be rendered on site in the presence of the opposing parties, we would have to conclude either that Titus judged the case in person on Crete (inconceivable not least given the posthumous date of the inscription), or that this was not in the main a boundary dispute.

We would have expected the emperor to appoint a *iudex* to decide such a case. If, however, the dispute was primarily one about ownership of a contested site, the question before Titus would have been the relative validity of the rival claims to ownership. Such a decision could easily have taken place wherever the emperor was, provided that convincing documentation and arguments could be brought before him, and the parties could agree on the location and extent of the property in question. The Capuan decree and the parties' agreement may reflect such a state of affairs, or they may be indicative of subsequent arrangements related to implementation of the emperor's verdict. If indeed the location and extent of the property in question had been agreed by the parties, then the emperor's procurator need not have been granted judiciary authority, so long as all parties could have confidence that he would see to an accurate demarcation.²⁸⁵ The primary purpose of the termination, then, was to memorialize the emperor's decision, indicating a boundary that marked a transition in ownership.

²⁸⁴ Aichinger 1982 passim, especially p. 195. Compare Instances 84, 34, 91, 95 and 40. *Pace* Rigsby 1976, 329 who unaccountably asserts that "the tasks of keeping order [in the *praefectura*], collecting the rent, and crediting it to *Capua* were part of the office of the provincial governor in *Gortyn*." The maintenance of order, an eminently practical concern, would surely engage the proconsul and his staff, but the management of revenue not destined for the *fiscus*, derived from lands belonging to any city (inside the province or out), seems a most unlikely task for a Roman governor. Baldwin Bowsky 1987, 220 credulously repeats this misconception.

²⁸⁵ We do not know the precise regular duties of this particular procurator, who is otherwise unattested. PIR² M516 and Aichinger 1982, 195.

27.1. *EDH HD012421; Aichinger 1982, 195.2; AE 1969/70.635; Ducrey 1969, 846-852 no. 3. See also: Rigsby 1976.

[I]mp(eratore) Domitiano / Caesar(e) Aug(usto) Germ(anico) X co(n)s(ule) / [i]nter col(oniam) Flav(iam) Aug(ustam) felic(em) / Cap(uam) et Plotium Plebeium / [ex] senten(tia) Titi Imp(eratoris) Aug(usti) item / [sec]undum decretum col(oniae) Cap(uae) / [ex c]onventione u[tri]usq(ue) / [parti]s [t]ermini positi sun[t] / agente P(ublio) Mess[i]o Campano / proc(uratore) [C]a[es]aris

When the emperor **Domitian** Caesar Augustus Germanicus was consul for the 10th time. Between *Colonia Flavia Augusta Felix Capua* and Plotius Plebeius, according to the decision of the emperor *Titus* Augustus and also following the decree of *Colonia Capua*, according to the agreement of both parties, boundary markers were placed, with Publius Messius Campanus, imperial procurator, doing it.

28. A Negotiated Boundary between the Zamucci and the Muduciuvi

Burton 2000, no. 78

Date(s): AD 86

This boundary marker was placed in accordance with the agreement of both parties (*ex conven/tione utrarumque nationum*), and therefore may be taken as evidence of a **boundary dispute**.

This single boundary marker from coastal Libya provides the only evidence for the resolution of a boundary dispute between these two indigenous peoples. The date of the demarcation, as calculated from the imperial titulature, places the event in the same year as the reported 'destruction' of the *Nasamones* by *Legio III Augusta* as a consequence of a tax revolt in which tax collectors were killed.²⁸⁶ It is not clear whether the boundary action was related to the conflict, or merely took advantage of the temporary presence of the legionary legate in what ought to have been part of the proconsular province. Surviving documentation for proconsuls during the 80s AD is incomplete, and therefore we cannot say who was governing *Africa Proconsularis* at the time of this demarcation.²⁸⁷ Neither party seems to have been related to the *Nasamones*; rather, they are thought to be sub-tribes of the *Macae*.²⁸⁸

²⁸⁷ Thomasson 1996, 45-48.

²⁸⁶ Zonaras 11.19.

²⁸⁸ Mattingly 1994, 27-28, 32, 74, 76...

28.1. *EDH HD020847; IRT 854; AE 1940.70; Romanelli 1939, 111-118.

[ex a]uctorit(ate) / [I]mp(eratoris) divi Vespasi/ani f(ili) [[Domitiani]] / Aug(usti) Germ(anici) pont(ificis) / max(imi) trib(unicia) pot(estate) VI / 5 imp(eratoris) XIIII co(n)s(ulis) XIII / cens(oris) perpet(ui) p(atris) p(atriae) / iussu Suelli Flac/ci leg(ati) Aug(usti) pro pr(aetore) / terminus positi(!) inter na/ 10 tionem Muduciuviorum / e[t] Zamuciorum ex conven/tione utrarumque / nationum

By the authority of the emperor, son of the divine Vespasian, **Domitian** Augustus Germanicus, pontifex maximus, (holding the) tribunician power for the 6th time, (saluted as) imperator 14 times, consul 13 times, censor in perpetuity, father of the country. On the order of Suellius Flaccus, propraetorian imperial legate, boundary marker(s) placed between the tribe of the *Muduciuvi* and the tribe of the *Zamucii*, according to the agreement of both tribes.

29. Restoration of Boundary Established by King Philip between the *Bragylai*, *Tiberioi* and *Kissynioi*

Burton 2000, no. 31

Date(s): AD 98-138

A probable **boundary dispute**, on the grounds that Roman authorities would have little reason to restore boundaries unless a problem had arisen.²⁸⁹

Two inscribed boundary markers found in the area of *Bragylai* (mod. Metallikon in Greece) attest to the restoration of boundaries by a proconsul of *Macedonia*, one P. Clodius Capito Aurelianus.²⁹⁰ The boundaries, between *Bragylai* and two other communities whose locations are unknown to us (*Tiberioi* and *Kissynioi*), were restored on the basis of a boundary demarcation (otherwise unknown and not extant) of a "King Philip," who is not more explicitly identified. If the guess that Aurelianus was serving under Trajan or Hadrian is correct, this would mean he consulted and followed evidence that could have been over 400 years old.

²⁸⁹ pace Doukellis 1995, 224-225.

 $^{^{290}}$ One text was first published in the 1970's (Text 29.1). The other is unpublished (see Hatzopoulos 1989, 58 n. 1).

29.1. AE 1992.1521; SEG 39.577; *Hatzopoulos 1989, 58 n. 1;
SEG 30.573 (defective text after Papazoglou);
Papazoglou 1979, 241 n. 59 sub 9 (defective text after Sarikakes);
Sarikakes 1971, 96 (defective text). See also: Pikoulas 1999, 899.13-14.²⁹¹

Όρους ἀπο/κατέστηκε κα/τὰ τὴν γεγενημέ/νην {ΜΕΝΗΝ} ὑπο Φι/λίππου τοῦ Βα/⁵σιλέως ὁροθεσί/αν Π(όπλιος) Κλώδιος Κα/πίτων Αὐρηλια/νὸς ἀνθύπατος / Βραγυλίοις, /¹⁰ Τιβηρίοις, Κισσυνί/οις. Όρος [θεμέ]/λιος ἡρῶον.

P(oublios) Klodios Kapiton Aurelianos, (pro)consul, restored the boundary markers according to the boundary demarcation made under King Philip (between the) *Bragylioi*, *Tiberioi* and *Kissynioi*. Initial marker is the heroon.

30. Casting a Spell on the Governor in *Hispania*

Burton 2000, no. 7

Date(s): first century AD?

Three lead tablets, inscribed in Latin on both sides and recovered from separate funerary vases near *Emporion* (mod. Empúries in Spain), provide testimony for a **possible boundary dispute** between two local peoples, the *Indicetani* and the *Olossitani*.

The coincidence of these two otherwise rare ethnic names²⁹² in what is clearly a Roman judicial context has led most commentators to assume that a boundary dispute occasioned the creation and deposition of these tablets; however, there is no internal evidence to support this assumption.²⁹³ The altercation could have concerned any conceivable grievance between two peoples, although we may consider a boundary or other land dispute as significantly likely.²⁹⁴

²⁹¹ Engelmann 1999, 144-145 provides two entries for this dispute in order to recognize and differentiate a second unpublished inscription mentioned by Hatzopoulos 1989, 58 n. 1, and to provide additional bibliography.

²⁹² For the *Olossitani*, see Lamboglia 1959. I have been unable to find any published information about the *Indicetani*, either primary or secondary, despite assertions by the editors of IRC that they are "well known from the inscriptions."

²⁹³ This has led to a variety of speculative efforts at dating the inscriptions (which, as for most such deposits, must be later than the Augustan era data for the funerary vases). This in turn has led some commentators to connect the putative boundary dispute with a hypothetical reorganization of *Emporion's* territory following on from its promotion to the status of *municipium* under the Flavian emperors. Such learned speculation, although valuable, is not directly germane to the purpose of this work, and so readers are referred to the cited editions for details.

²⁹⁴ I am aware of only one other such tablet that mentions a Roman governor, one Theodoros, governor of *Cyprus*, although the context appears to have been a civil case involving two individuals (Gager 1992, 136-137 no. 46). Separately, I am aware of only one extant imprecation that mentions boundaries

These tablets are usually described as *tabellae defixiones* or curse tablets, but it is probably more helpful to speak of them as the surviving physical elements of a binding spell evidently cast in an effort to prevent injustice in the legal proceedings. Two of the three tablets (Texts 30.1 and 30.2) carry texts consisting entirely of somewhat repetitive lists of individuals and groups in the nominative case, with some genitive dependencies. The third tablet (Text 30.3) is similar, and similarly repetitive, but includes at the end of one side an optative subjunctive construction that would appear to take all the nominatives in the list as its subject and thus reveal to us the principal aim of the spell: *inique ne int[er]sint*, which I take to mean "may they not participate (in the trial) unjustly." This interpretation is reinforced by the preceding phrase, in the nominative plural, which seems to modify either the entire list of subjects, or at least those immediately preceding the verbal clause: *atve[ve]rsari mei* (my adversaries). ²⁹⁸

It is impossible in my view to ascertain who conducted or commissioned the spell and the deposition of the tablets, although the otherwise unknown Sempronius Campanus Fidentinus (the only named individual who is not clearly a Roman official) is an obvious candidate. On the other hand, it is worth noting that often curses and binding spells omitted the name of the

specifically, an inscribed curse on a statue base erected by the second century AD builder of a bath complex in *Chalcis*. The curse aims to deter subsequent owners of the property from removing the statue or infringing upon a demarcated area surrounding it (Gager 1992, 184-185 no. 86).

²⁹⁵ A good descriptive overview of such inscribed objects and the various types of effects for which they were employed – including a critique of past scholarly approaches (with references) – may be found in Gager 1992, 3-30, together with the introduction to his selection of legal texts on pages 116-122. Note, however, the corrective provided by Vine 1993. On the "judicial curse," intended not for revenge but to influence the trial itself, see also Faraone 1991a, 15.

²⁹⁶ Repetition, iteration and enumeration are not uncommon features of such spells.

²⁹⁷ The evident goal of many surviving spells that can be connected to Greek or Roman judicial proceedings was to prevent one's opponents from speaking effectively at trial (Gager 1992, 118-119 and 132-136 no. 45), whereas this spell seems merely to seek the prevention of injustice (see Instance 11 for a case in which a member of a governor's *consilium* was prepared to take a bribe in return for his influence in a boundary dispute, perhaps just the sort of situation that our spell's commissioner here sought to prevent). On the use of wish formulae in binding spells, and the deployment of such spells as defensive measures, see Faraone 1991a, 5 and 9.

²⁹⁸ The translation at Gager 1992, 142-143 no. 52 is hopelessly inadequate and, consequently, the associated discussion unrewarding. Having decided that "the Latin is corrupt" (it is not) and having mistaken the Latin phrase *consilium legati* for a nonsensical "council with jurisdiction over the *Indicetani*" (and similarly confused variations throughout), the translator goes astray, ignoring entirely the phrase *atve{ve}rsari mei* and rendering *inique ne int[er]sint* as "... oppose me unfairly ...," which strips it of its clear hortative force. In a Roman judicial context, the word *consilium* can denote nothing other than the advisory council of the presiding magistrate. In this case that connotation is made even clearer by the text's composer, who provides us with the dependent genitive *legati*. Failing to recognize such a well-documented institution as the Roman magistrate's *consilium* reveals the irresponsibility of the volume's editor in proclaiming that, although "we know much about the formal aspects of ancient legal culture ... for our purposes, we may safely ignore these formal matters ..." (Gager 1992, 116).

commissioner, perhaps to avoid mistakenly catching them up in the spell's effects. If all the individuals and groups appearing on the tablets in the nominative are meant to be taken as the subject of final clause's verb – and are thus in agreement with the adjectival phrase *atve{ve}rsari mei* – then Fidentinus cannot have been the spell's commissioner.

30.1. IAGIL 114; *IRC 3.172; EDH HD019064. See also: Plana 1995, 99-101; AE 1955, 69 n. 222; AE 1952.122b.

Fulvus legatus Au/gusti Rufus legatus / Augusti Maturus / proqurator Augusti / legati atvocati Ind[i]/^scetanorum // Consilium Fulvi / legati Olossi/tani Campanus / Fidentinus Augus(ti) /¹⁰ [---|0[---]

(side a): Fulvus, the imperial legate, Rufus, the imperial legate, Maturus, the imperial procurator, the delegates and advocates of the *Indicetani*,

(side b): the advisory council of Fulvus the legate, the *Olossitani*, Campanus Fidentinus, the imperial (procurator?),

30.2. IAGIL 115; *IRC 3.173; EDH HD019061. See also: Lamboglia 1959; AE 1952.122a.

Olossita[ni] / Titus Aurelius / Fulvus lega/tus Augusti / Rufus legatus Au/⁵gus[ti] // Maturus proqura/tor Augusti consi/lium legati / legati Indiceta/¹⁰norum / {Indicetanoru[m]}

(side a): the *Olossitani*, Titus Aurelius Fulvus, the imperial legate, Rufus, the imperial legate,

(side b): Maturus, the imperial procurator, the advisory council of the legate, the delegates of the *Indicetani*,

30.3. IAGIL 116; *IRC 3.174; EDH HD019067. See also: AE 1955, 69 n. 222; AE 1952.122c.

[Ful]vus legatus / [Aug]usti Rufus lega/[tus Aug]usti Matu/[rus] procurator / [Aug]usti consilium /5 legati atvoca/ti Indicetano/{ti Indicetano} / ru[m] // [Oloss]itani /10 Sempronius / Campanus Fi/dentinus atve/{ve}rsari/ mei inique /15 ne int[er]sint.

(side a): Fulvus, the imperial legate, Rufus, the imperial legate, Maturus, the imperial procurator, the advisory council of the legate, the advocates of the *Indicetani*,

(side b): the *Olossitani*, Sempronius Campanus Fidentinus, my adversaries, may they not participate unjustly.

31. Restoration Following the Map of Dolabella

Date(s): possibly first century AD

This fragmentary inscription testifies to the restoration (of land, ownership or boundaries) according to a map attributed to P. Cornelius Dolabella, governor of *Dalmatia* sometime between

AD 14 and 20. The name of the person who carried out the restoration is lost, but part of his titulature survives: he was a propraetorian imperial legate. It is possible that this inscription relates to either Instance 3 or Instance 4, but not enough of the text survives to permit certainty.

31.1. *Wilkes 1974, 268 no. 26; Betz 1938, 34 no. 11.

- ---] Aug(usti) pro pr(aetore) / [s]ecundum formam / Dolabellianam / restituit.
- --- ??? propraetorian imperial (legate), restored (the boundary markers?) according to the map of Dolabella.

32. Boundary Dispute between the *Barizaniates* and the *Lizaviates*

Date(s): first century AD

An otherwise unknown individual, most likely a first-century governor of *Dalmatia*, appointed a *iudex* to deliver a verdict (*sententia*) in this **boundary dispute** between two otherwise unknown peoples.

32.1. *Wilkes 1974, 266 no. 20.

[---]V[---]/[---]s Bassus [leg(atus) Aug(usti) pr(o) pr(aetore)] / inter Barizani[ates et] / Lizaviates in neg(otio) / finali C(aium) Plotium Ma/ 5 [xi]mum iudicare iussit / [---]A p[ra]ecepit ut / [diceret se]ntentiam / [de ponendis ter]minis.

...]s Bassus (propraetorian imperial legate) ordered Caius Plotius Maximus to make a judgment in the boundary matter between the *Barizaniates* and the *Lizaviates* ... and instructed that he should deliver a verdict concerning the placement of boundary markers.

33. Negotiated Settlement of a Boundary Dispute between *Olooson* and *Dion*

Date(s): c. AD 101

A single boundary marker recovered from an alpine meadow on the slopes of Mount Olympus in Greece provides testimony for a **boundary dispute** between the cities of *Olooson* (mod. Elassona) and *Dion* (mod. Malathria).

The only indication that we are dealing with a dispute is provided by the acknowledgement of a negotiated agreement between the two parties ([... ex c]onvention[e] ipsorum). The emperor's authority is invoked (ex auctoritate imperatoris), but unusually his full titulature is not provided. This appears at the end of the text in what appears to be a separate dating clause in the ablative. It is Trajan's fourth consulate that provides the date for this inscription. No mention is made in this text of the governor, iudex or other official who may have been involved in the negotiations or authorization of the demarcation.

Some commentators have observed that this boundary may have been coincident with the provincial boundary between *Achaia* and *Macedonia*. Without further information on the personnel involved in the demarcation, this hypothesis does not much help advance our understanding of the administrative context of boundary disputes.²⁹⁹

33.1. ILS 5954; *CIL 3.591. See also: Pikoulas 1999, 897.5; CIL 3, 989.

[ex auctoritate] / [i]mp(eratoris) Aug(usti) / [fi]nes dere[cti / int]er Dien[ses / et Olo]ssoni[os / ex c]onvention[e] / ipsorum / [im]p(eratore) Nerva [T]ra[ia/n]o Ca[es]ar[e] / Aug(usto) German[ico] / IIII co(n)s(ule).

[By the authority] of the emperor Augustus,³⁰⁰ boundaries drawn between the *Dienses* and *Olossonioi*, according to the agreement of both of them, when the emperor Nerva **Trajan** Caesar Augustus Germanicus was consul for the 4th time.

34. Boundary Dispute between Doliche and Elimeia

Burton 2000, no. 64

Date(s): AD 101

In the year that Trajan was consul for the fourth time (AD 101), an otherwise unknown [Ve]rg[i]n[us] [P]ub[lianus] or [R]ub[rianus] made a ruling as *iudex datus ab imperatore* in a **boundary dispute** between the communities of *Doliche* and *Elimeia* (*Elimiotis*). The ruling, copied from an archival version of his *commentarium* at an unknown location, survives on a fragmentary stele discovered in 1911. The stone, evidently moved from its original location, was found in the "ruined church of the Holy Trinity on the right bank of the Srantaporos ... on the high road some three hours to the north of Elassona"³⁰¹.

Doliche was a municipality of the Perraibian metropolis and therefore one of the nominally free cities of Thessaly (most likely attached administratively at this period to the province of *Achaia*). *Elimeia*, on the other hand, was located in the province of *Macedonia*. The coincidence of these civic borders with a provincial boundary may explain Trajan's personal involvement in

²⁹⁹ Doukellis 1995, 225. Compare Instance 34, a case involving two other civic boundaries that were probably coincident with the provincial boundary between *Macedonia* and *Achaia*.

³⁰⁰ Presumably, we are to understand Trajan.

³⁰¹ Wace 1911, 193

the case and his decision to appoint a special judge to hear it, rather than simply referring it back to a governor, as Hadrian was to do in a dispute between *Lamia* and *Hypata* (Instance 38).³⁰²

Verginus' verdict reiterated (and clarified?) an earlier (approximately 475 years earlier) boundary description that had been promulgated by king Amyntas III of *Macedon* (Philip II's father; ruled c. 393-370 BC). It is not clear whether – as in the case of C. Avidius Nigrinus' rulings in favor of the Delphians³⁰³ – Trajan had instructed Verginus to favor the earlier description, or whether this was a decision that the legate reached on his own. Amyntas' ruling is otherwise unattested.³⁰⁴

34.1. AE 1997.1345; Lucas 1997, 101-108 no. 48; ILGR 173; *EDH HD026859; Aichinger 1982, 195-197.3; AE 1913.2; Wace 1911, 193-204. See also: Pikoulas 1999, 897.6.

Imp(eratore) Caesare Ne(rva) / [Tra]e(iano)(!) Au(gusto) Ger(manico) IIII / [et Q(uinto)] Articuleio / [co(n)s(ulibus) a(nte) d(iem)] VI K(alendas) Apriles / [d]escriptum et re/⁵[cognitum] ex conmentario(!) / [- V]e[r]ginii [P]ub[li]ani iudicis / dati [ab imp]er[at]ore / Traeiano(!) quod protu[li]t / Caelius Niger in quo sc/¹⁰riptum erat id q(uod) i(nfra) s(criptum) f(uit) cum / [p]robatum sit mihi in stela lap/idea quae posita est in for/o Dolichanorum inscriptos / esse fenes(!) conveniente/¹⁵s defini<t=I>ioni regiae factae / ab Amynta Philippi patrae(!) in/ter Dolichanos et Elemi/otas p<l=I>acet finem esse a ter/mino qui est in via supra /²⁰ Geranas inter Azzoris e[t] / Onoareas et Petraeas [in] / Dolichis per summa iug[a] / [a]t(!) canpum(!) qui Pronom[ae] / [v]ocatur ita ut canpus(!) in [pa]/²⁵rte sit Elemiotarum e[t per] / summa iuga at[---

When the emperor Caesar Nerva **Trajan** Augustus Germanicus, for the 4th time, and Quintus Articuleius were consuls, 6 days before the kalends of April. Described and copied from the journal of Verginius Publianus, judge given by the emperor Trajan, which (journal) Caelius Niger brought out and in which was written that which is written below. Since it has been proved to me that the boundaries between the *Dolichani* and the *Elemiotae*, agreed in the royal boundary description (*definitio*) made by Amyntas, father of Philip, are inscribed on a stone stele which is located in the forum of the *Dolichani*, let the boundary be (a line which runs) from that boundary marker which is on the road above *Geranae* between *Azzoris* and *Onoareae* and *Petraeae* in Dolichis, along the top of ridge to the plain(?) which is called *Pronomae*, thence, so that the plain(?) is in the territory of the *Elemiotari* and along the top of the ridge to ---

³⁰² Aichinger 1982, 195-196 no. 3. See Instance 33 for another dispute between two cities whose common border may have been coincident with the border between the provinces of *Macedonia* and *Achaia*.

³⁰³ Instance 39.

³⁰⁴ Piccirilli 1973 no. 40.

35. Restoration of boundaries of the Regio Palmyrena

Burton 2000, nos. 48, 50 and 51

Date(s): AD 102 - 153

A recurrent **boundary dispute** involving *Palmyra* and either *Apamea* or *Emesa* seems to have demanded the attention first of a legate and a procurator of Trajan, and later of both the emperors Hadrian and Antoninus Pius. ³⁰⁵

The epigraphic component of our evidence for this dispute consists of two boundary marker texts and a badly damaged honorific inscription. We have the advantage in this case of being able to recover some of the original context of these documents: the wreckage of a monument at Khirbet el-Bilaas (a.k.a. Amoudan) in Syria, approximately 70km to the northwest of *Palmyra*. The monument, as reconstructed by the excavators, consisted of two major elements. The latest element, a cippus of square cross-section with an elaborate molded base and top, had been pierced in the center of its upper surface to anchor some object now missing. One face of this cippus carried a Latin inscription recording a restoration of boundaries in AD 153 (Text 35.3).

Just over a meter to the northeast of the cippus, and at an odd angle to it, stood a square stone platform, approximately five meters on a side, that supported a column approximately ten meters in height (six drums survive, three or four are thought to be missing). The capital of the column survives, and its upper surface is engraved with six holes consistent with two statues standing back-to-back (now lost), each figure of which must have held a scepter or similar object in its left hand. The third column drum from the bottom was engraved with a now badly damaged Greek inscription including portions of the titulature of Trajan and Nerva, but otherwise too mutilated to parse (Text 35.2). It is generally thought to have been honorific in nature.

The third inscription is the earliest, and is also damaged. Part of it was found loose on the site, the other part was discovered re-used with other uninscribed stones to form a platform for the cippus bearing the Hadrianic inscription. This document, though lacking the middle portion of the text, almost certainly records the restitution of boundaries between *Palmyra* and *Emesa* or *Apamea* by a legate and a procurator of Trajan.

³⁰⁵ In addition to enumerating the relevant entries in IGLS, Burton 2000 cites Matthews 1984, 162 for additional information. Unfortunately, Matthews' brief overview is inadequate: it does not describe the particulars of the monument and erroneously asserts that the documents from Khirbet el-Bilaas are "three inscriptions on a single column" (an error of fact reiterated at Burton 2000, 210 no. 51). Burton would have done better to pass over Matthews and to cite the *editio princeps* (Schlumberger 1939), in which much essential information omitted even from IGLS is clearly and responsibly presented.

It seems clear that, in aggregate, we have evidence here for the same sort of intractable, recurrent dispute revealed by the documents from the Coronean archive wall (Instance 43). An initial dispute reached Trajan, possibly in AD 102. He delegated it to the governor of Syria (an imperial legate) and an imperial procurator also in Syria. He is said to have "restored the boundaries." Thus we should infer that he gave instructions to his delegates to mark the boundaries in accordance with an earlier judgement or specific evidence that demonstrated the status quo ante, perhaps the same original demarcation cited by the later evidence: a demarcation made by the governor of Syria ca. AD 13-17.

This victorious restoration may have been celebrated by the people of *Palmyra* through the erection of a large, honorific monument to the emperor. The later cippus proves that the boundaries came into dispute again, and the case made its way to the emperor Hadrian who also issued a verdict in the case. The Antonine inscription that tells of Hadrian's verdict dates to at least 12 years after the death of Hadrian. Either Hadrian's verdict was abrogated by yet another flare-up of the dispute, or it was never implemented following his death. In either case, the matter came to Antoninus' attention somehow and was addressed yet again through the governor of Syria in AD 153.

35.1. *EDH HD022758; IGLS 5.2549; AE 1939.178; Schlumberger 1939, 52-61 no. I.

 $Imp(erator) / Caesar di[vi Nerva]e Aug(usti) / f(ilius) Tr[aianus Aug(ustus) Ge]rma/ni[cus pontif(ex) m]axi/[mus tr(ibunicia) pot(estate) VI? imp(erator) II?] pa/<math>^5$ t[er patriae co(n)s(ul) II]II(?) / de[s]ign[atus V? fine]s(?) / [------] / [-----?] / [---- a]rva civitat[is] / 10 [---]enorum per Iu[l]/[iu]m Quadratum leg(atum) / [Au]g(usti) pro pr(aetore) et Postu[m]/[iu]m Acili[a]num p[r]oc(uratorem) A[ug(usti)] / restituit

The emperor Caesar, son of the divine Nerva Augustus, **Trajan** Augustus Germanicus, pontifex maximus, (holding the) tribunician power for the 6th(?) time, (hailed as) imperator 2(?) times, father of the country, consul 4(?) times, consul-designate 5(?) times, restored the boundaries ... civic lands(?) of the ??? through Iulius Quadratus, propraetorian imperial legate and Postumius Acilianus, imperial procurator.

35.2. *IGLS 5.2551; Schlumberger 1939, 64-66 no. IV.

35.3. *EDH HD022761; IGLS 5.2550; AE 1939.179; Schlumberger 1939, 61-63 no. II.

[Imp(erator) Ca]esar / d[i]vi Hadriani f(ilius) / divi Traiani Parthi/ci nepos divi Nervae / pronepos T(itus) Aelius Hadria/⁵[nus A]ntoninus Aug(ustus) Pius pon/tif(ex) max(imus) tr(i)b(unicia) pot(estate) XVI imp(erator) II co(n)s(ul) IIII / p(ater) p(atriae) fines regionis Palmyrenae / constitutos a Cretico Silano / leg(ato) Aug(usti) pr(o) pr(aetore) ex sententia di/¹⁰vi Hadriani patris sui restitu(i)t / per Pontium Laelianum leg(atum) Aug(usti) pr(o) p[r(aetore)] / mense Decembre(!) Praesente et Rufino co(n)s(ulibus)

The emperor Caesar, son of the divine Hadrian, grandson of the divine Trajan Parthicus, grandson of the divine Nerva, Titus Aelius Hadrianus **Antoninus Augustus Pius**, pontifex maximus, (holding the) tribunician power for the 16th time, (saluted as) imperator 2 times, consul 4 times, father of the country, restored the boundaries of the *regio Palmyrena* that had been established by Creticus Silanus, propraetorian imperial legate, according to the verdict of the divine **Hadrian** his father, through Pontius Laelianus, propraetorian imperial legate, during the month of December when Praesens and Rufinus were consuls.

36. Boundary Dispute Involving Two Villages of Heraclea

Burton 2000, no. 38

Date(s): AD 110-111

A recently published epigraphic text, probably from the area of *Apollonia Salbakes* (mod. Medet in Turkey) attests to a dispute between *Herakleia Salbakes* (mod. Vakıf) and another city (probably *Apollonia*) that centered on the territorial rights to, and the boundaries of, two otherwise unknown villages, *Kosa* and *Antikosa*. The inscription dates to ca. AD 110-111 and records the demarcation of the two villages by the previously unknown C. Valerius Victor, serving as *legatus pro praetore* to the proconsul of *Asia*, L. Baebius Tullus.

The initial Roman administrative engagement with the affair was conducted some thirty years earlier by T. Pomponius Bassus. His office is not made explicit in our text, but it seems most likely that he judged the case in AD 79 or 80 while serving as legate to the proconsul of the province of *Asia*, M. Ulpius Traianus.³⁰⁶ The question seems to have been one of control over the two villages (with, we may suppose, consequences for taxation and other matters). The findspot of the inscription, according to Haensch's correspondent, was approximately two kilometers from

³⁰⁶ Haensch 1999, 126-128 considers three other possibilities for Bassus beyond that of legate to the proconsul: a special mission from the emperor for the resolution of boundary disputes (Haensch advances no argument or evidence for this possibility), an otherwise unattested proconsulate of Asia (unlikely given a relatively full slate of known consuls and proconsuls in the correct years for Bassus' cursus), and an appointment by the emperor to serve as *iudex* in Rome(!?) in a legal case between *Herakleia* and (presumably) Apollonia. This latter suggestion should be rejected, though Haensch considers it the most likely of the three possibilities. There is no evident reason why a dispute between Herakleia and Apollonia should have come to the emperor's attention. Both cities were situated within the province of Asia and should therefore have come under the jurisdiction of the proconsul. The proconsul might have consulted the emperor on questionable aspects of the case or one of the parties might have brought a petition directly to the emperor, but in none of our examples do we find the emperor taking such a case away from the governor and giving it to a legate. It is only in those cases where a land dispute spans a provincial boundary or involves cities or landholding entities with special status (compare Delphi) that the emperor employs a special legate or iudex. Furthermore, in all the documented cases of boundary adjudication by iudices dati ab imperatore, the iudex conducts his investigation of the case and delivers his verdict on site, not in Rome. In the absence of further direct evidence, the simplest solution here is clearly the best: we can independently place Bassus in Asia as a propraetorian legate of the proconsul in AD 79-80. In that capacity, he probably assisted the proconsul by adjudicating this dispute.

Apollonia. Bassus's verdict evidently identified the villages as within the *ius territorii* of *Herakleia*, which was located over 10 km to the north of *Apollonia* on the opposite side of the high plain that lies between the *Kadmos Mons* (the mod. Babadağ) to the north, the *Salbake Mons* (the mod. Bozdağ) to the east, and other high ground on the south and west. On what grounds Bassus made his decision, we are not informed. The proximity of the villages to *Apollonia* may provide the general background, with the case being brought because of encroachment by *Apollonia* or the resurrection of long-dormant claims to control by one or the other party. The case may also have involved a sanctuary, since the 'dedication' of both villages to the goddess Artemis Sbryallis (an otherwise unattested epithet) is made explicit alongside mention of Bassus' verdict, but the details are obscure. We may hypothesize that income from these villages (they must then have had associated agricultural property) had been set aside for the maintenance of Artemis' sanctuary, which must therefore have been located at or near Herakleia.³⁰⁷

The inscription is similarly terse when it comes to the reasons for the later demarcation. This demarcation was carried out by the proconsul L. Baebius Tullus in AD 110 and carried out on the ground by a legate on Tullus' staff, C. Valerius Victor. This project (and possibly Bassus' earlier decision as well) was conducted in accordance with the order (edict?) of Trajan ($\dot{\epsilon}\xi\,\dot{\epsilon}mit\alpha\gamma\eta\zeta$ Aὐτοκράτορος). On the face of it, neither governor would have needed the emperor's involvement in a dispute that fell within the scope of his own provincial jurisdiction. We do have evidence, however, of disputes that went to the emperor packaged together with other requests, such as those involving the confirmation of *beneficia*. Governors also clearly consulted the emperor on difficult questions of law or procedure in the context of boundary disputes, and had the benefit of advice from surveyors assigned by him. It may have been that one of the parties appealed the earlier decision to the emperor, or complained that the territory in question was being encroached upon by the other party, necessitating a survey and demarcation. If we are correct in our hypothesis that the revenue from *Cosa* and *Anticosa* was intended for the maintenance of Artemis' sanctuary at *Herakleia*, then Trajan's edict may be analogous to those issued by Domitian and Trajan regarding the sacred land of Artemis at *Ephesus*.³⁰⁸

36.1. SEG 49.1427; AE 1999.1592; *Haensch 1999.

[? iussu Imper(atoris) Ca]esaris Nerva[e Traiani / Aug(usti) Germ(anici) Dac]ici vici Cosa et Anticosa / [dedicati(?) Di]anae Sbruallidi et(?) ad[iu/dic]ati Heracl[eo]tis a [P]omponio [B]a[sso / (?)te]rm[i]nati s[u]nt a B[aebi]o Tullo proco(n)s(ule) /5 [A]siae per C(aium) Valerium Victorem / [p]raetorem designatum legatum / [pr]o pr(aetore) (?)

³⁰⁷ Compare other examples of disputes and demarcations involving temple lands evidently used for such purposes: Instances 39, 61, 67 and 68.

³⁰⁸ Texts 61.9 - 61.16.

έξ ἐπιταγῆς Αὐτο/κράτορος Νέρβα Τρα/ιανοῦ Καίσαρ[ο]ς Σε[β]/αστοῦ Γερμανικο[ῦ] / Δακικοῦ κωμῶν Κο/⁵σων καὶ ἀντικοσω[ν] / καθιερωμένων ἀρ/τέμιδι Σβρυαλλιδι / προσκριθεισῶν Ἡρα/κλεώταις ὑπὸ Πομπω/¹⁰νίου Βάσσου ὅροι ἐτέ/θησαν ὑπὸ Βαιβίου Τούλ/λου ἀνθυπάτου ἀσίας / διὰ Γαίου Βαλερίου Βίκτ/ρο[ς στ]ρατηγοῦ ἀποδε/¹⁵δε[ι]γμένου πρεσβευτοῦ καὶ ἀντισ[τ]ρα[τ]ήγου

According to the command of the emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, the *vici* of *Cosa* and *Anticosa*, having been dedicated to Diana Sbrudallis and adjudicated to the Hercleans by Pomponius Bassus were demarcated by Baebius Tullius, proconsul of *Asia* through C. Valerius Victor, praetor designate and propraetorian legate.

37. Legate Appointed by Proconsul as *iudex* in a Boundary Dispute in *Macedonia*

Burton 2000, no. 29

Date(s): AD 114

A fragmentary inscription found near mod. Akhladha in Greece attests to the settlement of a **boundary dispute**.

The inscription begins with a long dative phrase which includes the latter portion of Trajan's titulature as well as both consuls' names for the year AD 114. The dative has been used here in the Greek where the ablative would have been used in Latin for a phrase dating the document. The proconsul of *Macedonia*, Q. Annius Maximus, appointed an individual whose full name may have been C. Tyrannius Priscus as *iudex datus* (δοθεὶς κριτὴς) in a boundary dispute between two peoples whose names are too badly damaged to be identified. Priscus carries the titulature of an imperial legate, but is not otherwise attested. It seems reasonable to assume that he had been assigned to the proconsul's staff by the emperor, and that the proconsul had delegated adjudication of the case to him. P.A. MacKay's guess that Priscus was was temporarily in the province on official duties and was asked by the proconsul to attend to this case while in transit seems unnecessarily ad hoc. 310

37.1. BE 1966.239; *EAM 181; SEG 24.486; Petsa 1996, 355-356.259; AE 1965.206; MacKay 1965. See also: Pikoulas 1999, 898.8.

--- / [--- Τραιανῷ ---]/ῷ [Γ]ε[ρ]μ[αν]ικ[ῷ] / Δακικῷ ὑπάτ[ῳ]/τὸ ἕκτον δημ[α]/⁵ρχικῆς ἐξου[σί]/ας τὸ ὄ[γ]δ[οον] κα[ὶ] / δέκατον [ἀ]ρχι/ερεῖ μεγίστῷ / πατρὶ πατρί/¹⁰δος Κ. Νιννί/ῳ Ἅστα Π. Μα/νειλίῳ Οὐοπί/σκῳ ὑπάτοις Γ. Τυ/ρ[α]ννιος Πρεῖσ/¹⁵κος πρεσβευτὴ[ς] / καὶ ἀντιστράτ[η]/γος δοθεὶς κρ[ι]/τὴς ὑπὸ Κ. Ἁ{ι}ννί[ου] / Μαξίμου ἄνθ[υ]/²⁰[π]άτου μεταξὺ [.]/[.]αιων καὶ Δεβ[.]/[.]αιων ὅρους [ἔ]/[θ]ηκα

³⁰⁹ BE 1966.239.

³¹⁰ MacKay 1965, 251.

(Dated: when ... **Trajan** ...) Germanicus Dacicus, consul six times, holding the tribunician power for the eighteenth time, pontifex maximus, father of the country, and when K(ouintos) Ninnios Hasta and P(oublios) Maneilios Ouopiskos were consuls, G(aios) Tyrannios Preiskos, propraetorian legate, appointed as judge by K(ouintos) Annios Maximos, proconsul, between the ...aioi and the *Deb...ai*, established the boundaries.

38. Dispute between the *Lamienses* and *Hypataei*

Burton 2000, no. 30

Date(s): AD 117? - 138?

Serving as proconsul of either *Achaia* or *Macedonia*, Q. Gellius Augurinus delivered the following verdict (*decreta*) in a **boundary dispute** (*de controversiis finium*) between the Thessalian communities of *Lamia* and *Hypata* (mod. Hypati). His ruling was subsequently inscribed, and was first recorded by modern scholars in 1855 in the Greek village of Myxiates, where the stone had been reused in building a house.

A. Aichinger lists this case as an example of a governor handling a boundary dispute "under the significant influence of an emperor," but she does not analyze the matter in any detail.³¹¹ It does at first seem to abrogate the general rule that governors handled boundary disputes themselves so long as all parties involved fell under their own provincial jurisdiction. But careful attention to the wording of the document makes the matter clearer. Augurinus says that the emperor Hadrian had written to him. He does not represent himself as acting "on the orders of" vel sim. There are two possible explanations for what appears here to be imperial delegation: either the boundary dispute was associated in some way with other issues that required an imperial decision, or some aspect of the case led Augurinus to consult the emperor on the appropriate procedure to follow.

We do have at least one other example where a provincial community sent an embassy to the emperor with a number of concerns, including a boundary dispute. ³¹² Vespasian's response to a petition of the *Vanacini* carefully addresses each of their concerns, including the confirmation of an unspecified beneficium, something the governor could not have done. He explicitly says that he has written to their provincial governor that he should resolve the boundary dispute after consulting a surveyor whom the emperor was sending. In this letter, Vespasian uses language similar to that employed by Augurinus here. It seems particularly likely in Hadrian's case that

³¹¹ Aichinger 1982, 201.

³¹² Instance 25.

concerns normally handled by provincial governors will have gone directly to the emperor, given his travels in the provinces.³¹³

A second possibility is consultation of the emperor by the governor.³¹⁴ We have an example of this type as well, and it too dates to the reign of Hadrian. The incomplete dossier from *Aizanoi* that addresses the disputes surrounding the sacred land of Zeus preserves a letter of Hadrian that was clearly prompted by a query from the governor on a complicated aspect of the affair. It is not unreasonable to suppose that Augurinus similarly found it necessary to consult the emperor.

38.1. CIL 3.12306; ILS 5947a; CIL 3.586; Henzen 1856; Smallwood 1966 447. See also: Stählin 1924, 220-222; RE s.v. Hypata.

Q(uinto) Gellio Sentio Augurino proco(n)s(ule) decreta / ex tabellis recitata kalendis Martis. Cum optimus maximusque princeps / Traianus Hadrianus Aug(ustus) scripserit mihi uti adhibitis menso/ribus de controversiis finium inter Lamienses et Hypataeos cognita causa / terminarem egoque in rem praesentem saepius et continuis diebus / fuerim cognoverimque praesentibus utriusque civitatis defensoribus, / adhibito a me Iulio Victore evocato Augusti mensore, placet initium / finium esse ab eo loco in quo Siden fuisse comperi, quae est infra con/saeptum consecratum Neptuno, indeque descendentibus rigorem ser/vari usque ad fontem Dercynnam, qui est trans flumen Sperchion, it[a ut per] / amphispora Lamiensium et Hypataeorum rigor at fontem Dercynn[am supra] / scriptum ducat et inde ad tumulum Pelion per decursum Sir [---] / at monimentum Euryti quod est intra finem Lam[iensium ---] / [----] Erycaniorum et Proherniorum [----] / [----] thraxum et Sido [----] / [----] const [------

Verdicts recited from the tablets when Quintus Gellius Sentius Augurinus was proconsul, on the *kalends* of March. Since the best and greatest *princeps*, Trajan **Hadrian** Augustus, wrote to me that, once surveyors had been consulted concerning the boundary disputes between the *Lamienses* and the *Hypataeoi*, and the case had been investigated, I should make a boundary demarcation; and, since, in the case at hand, I was present often and for successive days, and I investigated with the defenders of both cities being present and with Iulius Victor, *evocatus* of the emperor, a surveyor, being consulted by me, let it be that the start of the boundary be from that place in which I have learned *Side* was, which is below the enclosed area consecrated to Neptune; and thence in descending to preserve a straight line all the way to the spring (called) *Dercynna*, which is across the river *Sperchion*, so that a straight line leads through the *amphispora* of the *Lamienses* and the *Hypataeoi* to the above-mentioned spring *Dercynna*; and thence to the tumulus (called) *Pelion* along the slope (called) *Sir...* to the monument of Eurytos which is within the boundaries of the *Lamienses* ...

39. Verdicts of Avidius Nigrinus in Boundary Disputes Concerning *Delphi* and Neighboring Communities

Burton 2000, nos. 67, 68, 69 and 70

_

³¹³ Compare Instance 43.

³¹⁴ Instance 68.

Date(s): AD 117?

Sometime around AD 117, a series of documents were inscribed on the south wall of the temple of Apollo at *Delphi*. These documents, originally presented in Latin with complete Greek translations, survive today in varying degrees of fragmentation. They relate to at least three verdicts promulgated by C. Avidius Nigrinus, a propraetorian legate of an emperor, probably Trajan. He pronounced these verdicts after judging disputes between *Delphi* and her neighbors in September and early October (probably of AD 117).

Nigrinus' role in Greece is ambiguous. He may have been serving as a special legate of the emperor, in lieu of the traditional proconsul, or he may have functioned as a special corrector, sent by Trajan to assist the free cities of Greece in resolving disputes and handling other issues.

In the first decision (Text 39.1 and Text 39.2), Nigrinus confirmed an earlier verdict in a dispute between *Delphi* and *Ambryssos*. The original complaint had been brought before an unnamed emperor and delegated by him to the famous jurist C. Cassius Longinus. That case (Instance 44), which is otherwise unattested, must have occurred sometime between AD 41 (the accession of Claudius) and AD 65 (when Nero exiled the blind lawyer to *Sardinia* in the aftermath of the Pisonian conspiracy). In reconfirming Longinus' verdict, Nigrinus reiterated the validity of a then-extant *determinatio*, which had been made under Longinus' direction by the surveyor Valerius Iustus. In this verdict, Nigrinus does not make it clear why the case was reopened or how it came under his jurisdiction. The land in question, and the relevant evidence, seem to have been unrelated to the amphyctionic verdicts cited by Nigrinus in his other two rulings (or perhaps the decision of Longinus had explicitly superseded all earlier rulings). Nigrinus makes a point of observing that neither *Delphi* nor *Ambryssos* had disputed Longinus' decision for a number of years, thereby implicitly acceding to its validity.

Nigrinus settled the second dispute five days later in a verdict formally presented at *Elatia* (Text 39.3 and Text 39.4). He makes it clear that this boundary dispute between *Delphi* and its neighbors *Amphissa* and *Myania* had first been brought before Trajan, who had delegated it to him with orders to "stand by the judgement of the hieromnemones that was made on the authority of Manius Acilius and the Senate" (*cum hieromnemonum iudicio {quod} ex auctor[itate Ma]ni Acili et senatus facto op[ti]mus princeps stari iusserit*). In this context, Nigrinus cites a *determinatio* made by the hieromnemones, "inscribed on the side of the temple of Apollo," and formulates his ruling in accordance with it. There seems to have been some debate about the interpretation of the older *determinatio*, for Nigrinus goes to greater length in explaining his decision than in the case of the Longinus/Iustus *determinatio*: both parties had been heard "many times," a formal *demonstratio* of the boundaries had been made, both parties had taken the opportunity to inspect the territory in question (in particular, those areas where they were in

disagreement), and "documents pertaining to the case" had been carefully assessed. Because the old *determinatio* required interpretation, Nigrinus provided – as part of his verdict – an annotated version in which he explained his interpretations and the evidence he had found to support them.

Nineteen days later, at *Eleusis*, Nigrinus delivered a third verdict (Text 39.5 and Text 39.6), resolving a boundary dispute between *Delphi* and *Anticyra* over "the area sacred to Pythian Apollo." As in the verdict delivered at *Elatia*, Nigrinus signals delegation from Trajan with an injunction to respect the earlier hieromnemonic decision. He reiterates many of the additional points made in the previous verdict, going to even greater lengths in explaining the need for additional investigation: "a more diligent investigation was therefore made necessary by the great antiquity of the matter, both because the possessio of certain places has changed and because the names of areas which are contained in the *determinatio* of the hieromnemones are hardly known now because of the passage of time, and because both parties have transcribed them for their own advantage." This verdict also included an annotated version of the *determinatio* in question.

A number of other fragments, too small or enigmatic to provide much additional information, also survive (Text 39.7-Text 39.10). At least one of these appears to have been a letter from Nigrinus to the Delphians.

39.1. *EDH HD033438; FD 3.4.290.

[C(aio) Avi]dio Nigrino leg(ato) Aug(usti) pro pr(aetore) / [ex tabellis recitata XV] K(alendas) Octobr(es) [---] cum rerum iudicatarum auctoritas cu[stodienda semper sit spectari nunc] / [oportet Longini decr]etum quod inter Delphos et Ambrossios in controversia quam in im[peratorem pertulissent] / [ediderit in quo iis men]sorem dederit Valerium Iustum factamque ab eo deter[minationem phinium] / [nam ex epistula eiu]s apparuit ad Delphos publice scripta neque Ambr[ossios neque Delphos deter]/5 mina[tionem abnuisse] postea per aliquod iam annos de Longini constitu[tis in controversia inter] / Del[phos et Ambros]sios de phinibus determinatione per Valerium Ius[tum facta decernere placet] / in co[nsilio adfue]runt Q(uintus) Eppius Fl(avius) Arrianus C(aius) Papius Habitus T(itus) Liv[ius? &

Recitation from the tablets when Gaius Avidius Nigrinus was propraetorian imperial legate, 15 days before the kalends of October. Since the authority (*auctoritas*) of prior legal decisions must always be preserved, one ought now to pay attention to the decree which Longinus put forth in the dispute between the *Delphoi* and the *Ambrossioi*, which they had brought before the emperor, in which decree he (Longinus) gave to them Valerius Iustus, the surveyor, and there was made by him (Iustus) a *determinatio* of the boundaries, for it appeared from his (Longinus') letter to the *Delphoi*, publicly posted, that neither the *Ambrossioi* nor the *Delphoi* had rejected the demarcation after a period of years. In accordance with the ordinances of Longinus, in the boundary dispute between the *Delphoi* and the *Ambrossioi*, I find in accordance with the *determinatio* made by Valerius Iustus. In *consilium* were Q. Eppius, Fl. Arrianus, C. Papius Habitus, T. Liv[ius

...

39.2. *FD 3.4.291.

έκ τῶ[ν πινά]κων μετειλλημμέναι. νν πρὸ ιṣ [Καλ. 'Οκτωβρ. τοῦ ἐμμένειν ἐν τοῖς κεκριμένο]ις νννν / ὄντ[ος ἀεὶ] λυσιτελεστάτου κα[ὶ ἀναγκαιοτάτου, ἐν τῷ παρόντι ἀξία ἐστὶ σκέπ]τεσθαι ἡ / Κασσί[ου Λον]γίνου το[ῦ -- c.12 -- κρίσις ἣν κέκρικε μεταξὺ Δελφῶ]ν καὶ 'Αμβρος[σί]/ ων, ἐν [τῆ ἀμφισβητήσει ἣν εἰς τὸν αὐτοκράτορα εἰσήνεγκον, ἐν ἦ γεωμετρητὴ]ν Οὐαλέριον 'Ιο[ῦσ]/[τον αὐτοῖς ἔδωκε, καὶ ὁ ἀφορισμὸς ὁ τούτου. δῆλον γὰρ ἡμῖν ἐγένετο ἐ]κ τῆς ἐπιστολῆ[ς] /⁵ [αὐτοῦ τῆς πρὸς τοὺς Δελφοὺς μήτε 'Αμβροσσίους μήτε Δελφοὺς τὴν ὁρ]οθεσίαν [τὴν] 'Ιούςτο[υ] / [ἀποβαλεῖν ἔνια ἤδη ἔτη. ἐξ οὖν τῶν Λογγίνου καθεστώτων, ἐν τῆ μ]εταξὺ Δελφῶν καὶ 'Αμβρος[σίων] / [περὶ τῶν ὅρων ἀμφισβητήσει, τῆ Ἰούστου ὁροθεσία διακρίνειν ἀρέσκε]ι. ἐν συμβουλίῳ ἐγένοντο ν / [Κόιντος Ἔππιος, Φλαούιος 'Αρριανός, Γάιος Πάπιος "Αβιτος, Τίτος Λίβιος]

See Text 39.1.

39.3. *EDH HD033438; FD 3.4.292; Smallwood 1966 446.

X K(alendas) Octobres Elatiae [---] de c[o]ntroversia Delphorum adversus Amphissienses [et] / Myanenses de finibus de q[ui]bus optimus princeps cognoscere me iussit quae au[ditis] / saepius utrisque et peragr[at]is adque(!) inspectis secundum utriusque partis demon[stra]/tionem locis de quibus amb[ig]ebantur item instrumentis ad eam rem pertinentibus [perpen]/sis compereram hoc decret[o c]omplexus sum cum hieromnemonum iudicio {quod} ex auctor[itate Ma]/5 ni Acili et senatus facto op[ti]mus princeps stari iusserit et prolata sit apud me determinatio per h[i]/eromnemonas facta qu[ae etia]m Delp(h)es(!) in latere aedis Apollinis incisa est placet secundum eam dete[r]/minationem a Trin[apea quae e]st petra imminens super vallem quam Charadoron vocant in qua e[st] / fons Embat[eia usque ad eum f]ontem quod ad Delphos spectat finium Delphorum esse ab eo font[e cum] / [determinatio ad Astraba]nta fines oportere derigi demonstret placet ad eum ter[minum] /10 [qui in rupe quadam quae Astrab]as v[oca]tur non procul a mari mihi {N} ostensus est in qu[o tripus] / [insculptus est quod proprium esse sa]crae Delphor[u]m regionis videtur fin[ium Delpho]/[rum esse quod ad sinistrum usque ad mare ad Delphos verg]ens demonstratu[m est &

10 days before the kalends of October at *Elatia*. With respect to the dispute of the Delphoi against the Amphissienses and Myanenses concerning boundaries, which the optimus princeps ordered me to investigate, I have summed up in this decree those things that I have verified for certain, after both parties had been heard many times and after both parties had travelled all around and after the places were inspected (according to the demonstratio of both parties), (those places) concerning which they were in disagreement, and also after the documents pertaining to the case had been carefully assessed. Since the optimus princeps ordered (me) to stand by the judgement of the hieromnemones that was made on the authority of Manius Acilius and the Senate, and since a determinatio made by the hieromnemones, which is also inscribed on the side of the temple of Apollo, was brought before me, let it be done according to this determinatio: (a line) from Trinapea (which is an overhanging rock above the valley which they call *Charadron* in which is located the spring (called) *Embateia*) all the way to the before-mentioned spring constitutes the boundary for the *Delphoi* of (the land) which lies toward the *Delphoi*; from this spring (since the *determinatio* shows that the boundary must be aligned with Astrabas) let [the line] to the terminus (which, it appears to me, is on a certain rock called *Astrabas* not far from the sea, on which is inscribed a tripod, which appears to be a particular sign of the sacred land of the *Delphoi*) constitute the boundary for the *Delphoi* of (the land) on the left, all the way to the sea toward the Delphoi.

39.4. *FD 3.4.293.

πρ(ὸ) ι΄ Καλ. Ὀκτωβρ. ν ἐν Ἐλατεία ν περὶ τῆς ἀμφισβητήσεως τῆς Δελφῶν πρὸς Ἀμ-/φισσεῖς καὶ Μυανεῖς περὶ τῶν ὅρων, περὶ ἦς ὁ μέγιστος αὐτοκράτωρ ἐκέλευσέν / με κρεῖναι, πλεονάκις ἑκατέρων διακούσας καὶ ἐπὶ τῶν τόπων γενόμενος καὶ / καταμαθὼν έκαστα ἐπὶ τῆς αὐτοψίας κατὰ τὴν ἀμφοτέρων ὑφήγησιν, προς-/έτι δὲ ἐντυχών τοῖς εἰς ἀπόδειξιν ὑπ' αὐτῶν προφερομένοις, ἃ ἐπέγνων ταύ-/5τη τῆ ἀποφάσει περιέλαβον. ν ἐπεὶ τὴν ὑπὸ τῶν ἱερομνημόνων γενομένην κρίσιν / [κ]ατὰ τὴν Μανίου Ἀκειλίου καὶ τῆς Συνκλήτου γνώμην, ἣν καὶ ὁ μέγιστος αὐ-/[τ]οκράτωρ πασῶν μάλιστα κυρίαν ἐτήρησεν, συνωμολογήθη ταύτην εἶναι τὴν / [ἐ]ν τῷ ἱερῷ τοῦ Ἀπόλλωνος τοῦ ἐν Δελφοῖς ἐξ εὐ[ω]νύμ[ου] ε[ἰσ]ιό[ντων] ἐνκε-/[χαραγ]μένην, ἀρέσκει, κατὰ τὸν ὑπὸ τῶν ίερομνημόνων [ἀφ]ορ[ισμὸν γενό]μενον ν ἀπὸ /10 [Τριναπέας ὅρ]ου, ἥτις ἐςτὶν πέτρα ἐ[ξ]έχουσα ὑπὲρ κοιλ[άδο]ς ἣν Χάραδρ[ον καλοῦσιν], ὑφ' ἥν ἐστιν / [κρήνη Ἐμβ]άτεια, κατ' εὐθὺ μέχρι τῆς προειρημένης κρήνης τ[ὸ] πρὸς [Δε]λφοὺς μέ[ρ]ος Δελφῶν / [εἶναι. ν ἀπὸ] τῆς κρήνης τῆς Ἐ[μβ]ατείας, ἐπειδὴ ὁ α[ὐ]τὸς ἀφορισμὸς σημαίνει [κα]τ' 'Αστράβαν-/[τα δεύτερον ὅρο]ν εἶναι, ἀρέσκει μέχρι τοῦ ὅρου τοῦ ἐν τῷ 'Αστράβαντι δεικν[υ]μένου, οὐ / [πόρρω τῆς] θαλάσση[ς, ἐ]ν ὧ τρίπο[υ]ς ἐνκεκόλα[π]ται, ὃ [δ]οκεῖ ἴδιον εἶναι τῆς ἱερᾶς τῶν /15 [Δελφῶν χώρας ὅρι]ον, [ἄ]π[αντα] τὰ εὐώνυμα ὡς ἐπὶ θάλασσαν εἶναι Δελφῶν / [- - - - c.20 - - - - ἐ]κείνου τ[οῦ ὅ]ρου ὃς ἐπεδεί[χθ]η μοι κα[τὰ?] / [- - - - - - - - - - - - - - - - -]νος ἐφαίνε[το]

(fragment:)

πε]ριαγωγὴν τὴν ε - έταξαν οὕτως α ἀπὸ θαλ]άσσης κατὰ τὸ βραχ[ὺ
 τοὺς ὅρους ἀπέχειν κ τ]ῆς ἁλέας καθ' ὃ τελευ[τᾳ
 τῶν ὅρων καὶ τῆς θα[λάσσης
ἀναμφις[β]ήτ[ητον

(fragment:)

- ωκὼς - ου προ περὶ ἦς καὶ α π]ροειρημέ[ν περι]αγωγή

See Text 39.3.

39.5. FD 3.4.294.

C. Avidio Nigrino leg. Aug. pro pr. / decreta ex tabellis recitata VI idus Octobr. Eleusine. cum Optimus Princeps sententia[m] / hieromnemonum qua consecratam regione<m> Apolloni Pythio ex auctoritate Mani Acili et s[enatus] / determinaverunt sequendam esse praescripsisset, quae etiam Delphis in latere aedis insculpta / est, neque veniret in dubium inter Anticyrenses quoque et Delphos quibus iudex datus [sum] /5 ab Optimo Principe ea sententia stari oportere, necessaria fuit diligentior exploratio tam ve/tusta{t}e rei tanto magis quod et possessio quibusdam locis variaverat et vocabula regionum qu/ae hieromnemonum determinatione continebantur vix iam nota propter temporis spatium / utraque pars ad utilitatem suam transferebat. cum itaque et in re praesenti saepius fuerim et / quid aut ex notitia hominum aut ex instrumentis quae exstabant colliqi potera{n}t pluribus diebus [excus]/10 serim, quae maxime visa sunt cum hieromnemonum iudicio congruere hac sententia comprehendi, [qua] / etiamsi utrorumque spei aliquid apscisum est, poterit tamen videri utrisque consultum quod [in] / posterum beneficio Optimi Principis certa possessio eis et sine lite continget. Opoentam in mari quod [ad] / Anticyram vergit, quam primam in determinatione hieromnemones nominaverunt, / eam esse constitit quae nunc ab aliis Opus ab aliis Opoenta dicitur promunt<o>rium quod /¹⁵ est a Cirra Anticyram navigantibus citra Nolo[chum haud procul a Sa[l]musis. ab eo recto ri/gore ad monticul[os quos app]ellatos Acra Colop[hia esse in sen]temtia (sic) hieromne{mon}/monum etiam ex eo apparet quod naturales in ut[roque] monticulo lapides ex[stant] / quorum in altero graeca inscriptio quae sign[ificat Delphi]cum terminum [hunc esse] / adhuc manet, cui vetustas fidem faciat, in altero [vero ea]mdem inscriptionem /20 [fuisse patet qua, quamvi]s sit erasa, fines o[b]ser[vari est mani]festum ad[s]cendent[ibus a mari] / [ita ut ab iis] dextra Anticyrensium, laeva sacra<e> regionis Delphorum sint. ab iis [recto] / [rigore ad rupem illam quae D]ol?i?chonos vocatur et indubitatus inter Delphos [et] / [Anticyrenses limes est - - c.8 - -]t perinde Delphorum region[----]/[-----c.33-----]O?I?E?X?T?E?[---c.14---]/ 25 ---? lines----/[in consilio adfuerunt - - Jus Pollio (leaf) Q. Eppius (leaf) Fl. [Arrianus - -]./

Decree recited from the tablets when C. Avidius Nigrinus was propraetorian imperial legate, 6 days before the Ides of October at *Eleusis*. Since the *optimus princeps* has already written that the decision of the hieromnemones (by which they demarcated the area sacred to Pythian Apollo on the authority of Manius Acilius and the Senate) should be preserved (which decision is also inscribed at *Delphi* on the side of the temple), and lest it should come into question that this decision between the Anticyrenses and the Delphoi (to whom I have been given as a judge by the optimus princeps) ought to stand, a more diligent investigation was therefore made necessary by the great antiquity of the matter, both because the possessio of certain places has changed and because the names of areas which are contained in the *determinatio* of the *hieronnemones* are hardly known now because of the passage of time, and because both parties have transcribed them for their own advantage. Therefore, since I was frequently engaged in the present case, and since I examined for many days what they were able to bring together, either from the knowledge of men or from the documents that have survived, I have addressed in this decision those things which, for the most part, appear to be consistent with the judgement of the *hieronnemones*, whereby, even if something of the hope of both parties is crushed, nevertheless it will be possible for the decree to seem good to both of them because certainty of possessio will be granted to them in the future as a beneficium of the optimus princeps, free from legal challenge. It is clear that "Opoenta on the sea that looks to Anticyra" (which is named first in the determinatio of the hieromnemones) is that which now by some is called "Opus" and by others "Opoenta", namely, the promontory which, when sailing from *Cirra* to *Anticyra*, comes before *Nolochus*, not far from *Salmusae*. From this point, in a straight line, to the little mountains which are called Acra Colophia in the decision of the hieromnemones (also, it is clear from this that some natural stones stand on top of each hill, on one of which a Greek inscription--whose age guarantees its validity--still remains, marking it as Delphic terminus, and truly it is obvious that the same inscription was on the other, even though it has been erased) whereby it is clear that the boundary is revealed by ascending this way from the sea so that from the boundary the land of the *Anticyrenses* is on the right and the sacred lands of the *Delphoi* on the left. From these [markers/hills] in a straight line to that cliff/rock which is called *Dolichonos* and indubitably between the *Delphoi* and ... in the same way, the sacred(?) lands of the Delphoi ... [much is lost here] ... In consilium were [---]us Pollio, Q. Eppius, Fl. [Arrianus ---] ...

39.6. *FD 3.4.295.

[ἐκ τῶν πινάκων μετειλημμέναι ν πρ. εἰδ. ν 'Οκτωβρ. ἐν 'Ελευσῖνι. ἐπεὶ προσετάχθη ὑπὸ τ]οῦ ἀρίστου αὐτοκράτορος τὴν τῶν ἱερο-/[μνημόνων κρίσιν, δι' ἣν τὴν ἱερὰν χώραν τὴν τοῦ Ἀπόλλωνος τοῦ Πυθίου ἔκ τε τῆς Μ]ανίου Ἀκειλίου γνώμης καὶ ἐκ δόγματος / [τῆς συνκλήτου ἀφώρισαν, πασῶν μάλιστα κυρίαν τηρεῖν, ἥπερ καὶ νῦν ἐν τῶ ἱερῶ τοῦ 'Α]πόλλωνος τοῦ ἐν Δελφοῖς ἐνκεχαραγ-/[μένη ἐστίν, ἕνεκα] καὶ τούτου ἐν τ[ῆ 'Αντικυρέων καὶ Δε]λφῶν πρὸς ἀλλήλους ἀμ[φισβητή]σει, οῗς κριτὴς ἐδόθη<ν> ὑπὸ τοῦ μεγίστου / [αὐτοκράτορος, έ]κατέρων ὁμολογ[ούντων, ἀναγκαῖο]ν ἐγένετο έπιμελεστέραν [οὕτω]ς παλαιοῦ πράγματος ποιήσασθαι τὴν /5 [ἐξέτασιν, ὅσω μ]ᾶλλον ότι καὶ τὰ τ[εκμήρια τὰ περί τ]ινων μερῶν ἀμφιβολίαν εἶχε[ν καὶ αί] ὀνομασίαι τῶν τόπων αἱ ἐν τῷ τῶν ἱ-/[ερομνημόνων ἀφ]ορισμῷ διὰ τὸ τοῦ [χρόνου] μῆ[κος οὐ]κέτι όμοίως γεινωσκόμεναι [παρεί]χον άφορμην έκατέροις τοῦ μεταφέ-/[ρειν εἰς τὸ λυσι]τελοῦν αὐτοῖς. ἄτ[ε ο]ὖν καὶ ἐπ[ὶ τῆς] αὐτοψίας τῶν τόπων πλεονάκις [γενό]μενος καὶ ἢ ἐκ τῆς τῶν ἐνχωρίων γνώ-/[μης ἢ ἐκ τῶν προφερ]ομένων ἀποδεί>[ξεω]ν πλείο[σιν] ἡμέραις ἐξετάσα<ς, ἄ> μοι μάλιστα ἔ[δοξε]ν τῆ τῶν ἱερομνημόνων συμφωνεῖν / [κρίσει τῆδε τῆ ἀποφά]ς<ει> περιέ<λαβον· δ[ι' ἣν ε]ἰ καί τι [δ]όξει τῆς έκατέρων ἐλπίδος ἀφηρῆ[σθαι, ἀλλ]ὰ ἐκε[ῖνό] γε ἀμφοτέροις περ[ιέσ]/[ται, ὅτι ὁ μέγιστος ἡμῶ]ν αὐτοκ[ράτω]ρ βε[βαί]αν αὐτοῖς εἰς τοὐπιὸν ὧν ἔχουσι τὴν κτῆς[ιν καὶ ἀναμφισβ]ήτητον παρέσχ[ε]. / ['Οπόεντα ἐν θαλάσση ἣ πρὸς 'Α]ντίκ[υράν ἐστι]ν, ἣν [π]ρώτην ἐν τῷ περιορισμῷ τῆς ἱερᾶς χ[ώρας οἱ ἱερομνήμονες ώ]γόμας[αν], / [τὸ αὐτὸ

εἶναι ἄκρον ὡμολογήθη, ὃ νῦν ὑπὸ μέν τι]νων Ὀπόεντα, ὑπὸ δέ τινων Ὀποῦς π[ροσονομάζεται καὶ τοῖς ἀπὸ Κίρρας] / [εἰς Ἀντίκυραν πλέουσιν ἐντός ἐστι Ναυλόχου, πρ]οκείμενον τῶν χωρίων ἃ καλεῖται Σα[λμοῦσσαι. ἐκ δὲ τούτου τοῦ ἄκρου] / [ἐπ' όρθὸν εἰς ὄρη δύο ἃ ἐν τῆ τῶν ἱερομνημόνων κρίσε]ι κεκλῆσθαι Ἄκρα Κολώφια καὶ ἐκ τούτω[ν γεινώσκεται, ὅτι πετρώδεις τι]-/15[νὲς ἐν ἀμφοτέροις τοῖς ὄρεσι λίθοι εἰσὶν ὧν έν μὲν τῷ ἐτέρῳ] ἔτι καὶ νῦν ἐπιγραφὴ μένε[ι, διὰ τὴν ἀρχαιότητα πιστωτέα], / [ἣ σημαίνει τοῦτον τὸν λίθον Δελφῶν ὅρον εἶναι, ἐν δὲ τῷ ἑτέρῳ α]ὐτὸ τοῦτο ἐπεγέγραπτ[ο, καίτοι νῦν ἐκκεκολαμμένον ἦν]· / [ὥστε τῷ ἐπαναβάντι τὰ δεξιὰ τῶν Άντικυρέων, τὰ δὲ εὐώνυμα τῆς ἱε]ρᾶς [χ]ώρας τῶν Δ[ελφῶν εἶναι]. - -

See Text 39.5.

39.7. *FD 3.4.296.

```
(fragment)
'Αουίδιος Νιγρῖ[νος πρεσβ.] Σεβ. ἀντιστράτηγος [Δελφῶν]
 ἄρχουσι βο[υλῆ πόλει χαίρει]γ.
 τῆς ἀντιγραφ[ῆς
 ύπέταξα
 τῆς .o -
γε -
οὔτε
ως τη[-----τη̂ς όρο]-
θεσίας -
(fragment)
             - ισσ -
        το]ὺς ὅρους ε -
  \dot{\epsilon}ν 'E]\dot{\lambda}ε[υ]σ\hat{\epsilon}νι. \dot{\epsilon}πιστο[\dot{\lambda}η?
'Αουιδίου] Νιγρίνου
        - μφειν -
39.8.
        *FD 3.4.297.
(fragment)
προς τ -
τὴν ἀν -
στει -
χο -
 Δελφ -
- ειναι
(fragment)
               - αµ -
             - αι είς
           το δρου ζ
           Πο]λλίων.
Δελφῶν? ἄρχουσι βουλ] η πόλει χ[αίρειν].
              - μένους
```

```
- μένην
39.9.
                       *FD 3.4.299.
                                                                         - υσιν
                                                                    - ..ω>ς καὶ αὐτ
                                                              - <ον σὺν ἐμοὶ φίλον καὶ .4
                                               έπὶ τῶν] τόπων γενόμενον αὐτο[ψί]-
[ας ἕνεκεν - - - - - - - - ] ὑπὲρ τοῦ μηδεμίαν κατάλ[η]-
[\psi_{1}\nu_{1}\nu_{2}\nu_{3}\nu_{4}\nu_{5}\nu_{6}\nu_{7}\nu_{6}\nu_{7}\nu_{6}\nu_{7}\nu_{6}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}\nu_{7}
[σιν γενέσθαι - - - - - παρ]όντος δ' έμοὶ καὶ τοῦ φίλου τ.
                                   οὐκ ἂν οί] Δελφοὶ μέμψασθαι δύναιντ[ο
                                                   ώ]σπερ οὖν καὶ ἐμέμφοντο ὅ[τ.
                                                      - ων καταπαῦσαι τὴν .ΙΛΟΙ
                                                       - β.3τινας· εἴ τις - c.5 -
                                                                      π]εμψ..
                                                                    ἔλ]εγεν ὑμᾶς ε
                                                                      - οι την υμέτ[ε]-
                               - - - - - - γεγραμμ[έν.7 ἀ]νομολογοῦς[ιν
                          μηδεν κ]αινότερον [.7]τε ὧν έξ ἀρχ[ῆς
                                 σ]υναπάντων κ[οιναὶ ο]ὖν εἶεν αἱ νομ[αὶ
                                        - ]νῆσαι οἷόν τ' ἐς[τὶν οὔ]τ' ἐκ τῆς ἀπο[φά]-
[σεως ἣ ἐξ ἀρχῆς ἐμοὶ ἤρε]ςεν οὔτ' ἐκ τῆς [μετὰ τ]ὴν ἀπόφ[ασιν ταύ]-
[την - - - - - - - - ]ς ἐγράφη <math>[π]ρ(ο)[- 'Απ]ρειλ. ἐν 'Ελ[ευσῖνι].
39.10. *FD 3.4.298. See also: Daux 1976, 78-79.
           - νος Καπ[ίτων?
πρεσβ.] Σεβ. ἀντ[ιστράτηγος
      ?Καπ]ίτων τὴν
       πρ]ὸς ἀντικυρε[ῖς
          ι ύπὸ τῶ[ν
             - ατο είς αὐ[τ -
            ἐγράφη πρ(ὸ) ζ΄ Κα[\lambda(ανδ\hat{\omega}ν) - - -].
```

40. Dispute between the Sacilienses, Eporenses and Solienses

Burton 2000, no. 61

Date(s): first century, prior to AD 138

This three-party marker, found near mod. Villanueva de Córdoba in Spain attests to a **boundary dispute** that occurred before or during the reign of Hadrian. The dispute was adjudicated by one Iulius Proculus, styled *iudex* in the inscription. The boundary resulting from his verdict (*sententia*) was later "confirmed" by Hadrian (*confirmatu(m) ab*), possibly while the emperor was visiting the Iberian peninsula during the period AD 122-123. The usage is unparalleled on other extant boundary texts.

The identity of Iulius Proculus is problematic and has been much debated. Most recently, Von Stylow has argued cogently that he was C. Iulius Proculus, the consul of AD 109 whose extensive *cursus* is well documented.³¹⁵ The context of his judiciary role in this case is quite beyond recovery. We do not know who (a provincial governor?) assigned the case to him, what role he was serving in *Baetica* at the time, or when the episode occurred. The laconic nature of the inscription similarly denies us the details of Hadrian's confirmation of the boundaries resulting from Proculus' verdict. Presumably, one or more of the parties reopened the case in some way, and the affair was brought to the emperor's attention. Or, it may have been the case that one of the parties wanted the status quo confirmed, perhaps because Proculus had ruled during an earlier emperor's reign. 316 Proculus' verdict need not have been commissioned by an emperor for the subsequent review to reach Hadrian's level. We have seen other evidence of disputes that, in the regular order of things, would have been resolved by the provincial governor, but reached Hadrian because he was present in the provinces.³¹⁷

*EDH HD007515; CIL 2².7.776; AE 1986.363; 40.1. ILS 5973 + p. CLXXXVI (corrigendum); AE 1913.3; CIL 2, 705; CIL 2.2349.

Trifinium / in[t]er Sacilienses Eporenses / Solienses ex sententia / Iuli Proculi iudic(is) / confirmatu(m) ab /5 Imp(eratore) Caesare / Hadriano / Aug(usto)

Trifinium between the Sacilienses, Eporenses and Solienses according to the verdict of Iulius Proculus, *iudex*. (The *trifinium* was) confirmed by the emperor Caesar **Hadrian** Augustus.

41. Possible Boundary Dispute between the *Aunobari* and Iulius Regillus

Burton 2000, nos. 86 and 87

Date(s): after AD 117

A largely intact inscription (Text 41.1) records the verdict (decretum ex tabella recitavit) of the North African proconsul in a dispute between the city of *Aunobari* (mod. Henchir-Kern-el-Kebch in Tunisia) and a private individual, Iulius Regulus.

³¹⁵ CIL 2².7.776.

³¹⁶ Compare *Histria*'s practice of petitioning each governor in succession for confirmation of their ancestral rights (Instance 16. Compare also the concern of the *Vanacini* on Corsica to obtain Vespasian's confirmation of an unspecified Augustan-era beneficium (retained through the reign of Galba), which they coupled with a request concerning a boundary dispute (Instance 25).

³¹⁷ Instance 43.

Regulus is otherwise unknown. The proconsul Marcellus is attested on an inscription from *Lepcis Magna*, but cannot be dated by any more precise method than the internal evidence of this inscription. The text of Marcellus' decision makes reference to an earlier "verdict of Cornutus, *clarissimus vir*," who should be identified with C. Iulius Cornutus Tertullus, proconsul of *Africa* in AD 116-117 or 117-118. Marcellus must therefore postdate Cornutus.

Poinssot thought the style of the lettering was consistent with a date between Hadrian and the Severi. This estimate matches that proposed by Poinssot for a fragmentary list of names and titles found in the same spatial context (Text 41.2). These individuals may have served on the proconsul's *consilium*, perhaps in the case in question (the first text indicates that the verdict was issued following consultation with the *consilium*). Poinssot's dating of the second text relies on speculative identifications of some of the individuals involved, and would put the inscription during the early years of the reign of Marcus Aurelius.

As Poinssot also noted, the language of the first text is consistent with that found on inscriptions clearly related to verdicts and arbitral decisions in boundary disputes, hence the classification of this text, from which the full preamble is missing. It is possible that the dispute did not concern boundaries; this ambiguity illustrates how completely the judicial resolution of boundary disputes was administratively and procedurally embedded in the standard Roman provincial administrative approach.

41.1. EDH HD027676; *ILAfr 591; AE 1921.38; Poinssot 1920, 141.1.

----/[---]idia / [---] inter Aunobari/tanos et Iulium Regillum pro/nuntiasse in ea verba quae /⁵ infra scripta sunt / postquae(!) Marcellus proco(n)s(ul) / collocutus cum consilio decre/tum ex tabella recitavit / cum acta inter Iulium Regillum /¹⁰ et Aunobaritanos causa solum / aput(!) me Cornuti decretum cla/rissimi viri prolatum sit nihil ex eo mutari placet

... between the *Aunobaritani* and Iulius Regillus, pronounced in those words which are written below.

"After which, Marcellus, the proconsul, having discussed the matter with his *consilium*, read out the verdict from the tablets: 'With regard to the legal case between Iulius Regillus and the *Aunobaritani*, since only the verdict of Cornutus, *clarissimus vir*, was produced in my presence, let nothing be changed from it."

41.2. *EDH HD027679; ILAfr 592; AE 1921.39; Poinssot 1920, 142.2.

------/ L(ucius) Iulius Catullinus Q(uintus) Pompeius Primus L(ucius) Sem/pronius Flaccus Q(uintus) Cordius Clemens M(arcus) Cla(u)dius Phi/lippus L(ucius) Neratius Bassus L(ucius) M(arius) Perpetuus scriba qu(a)es/torius Sex(tus) Serius Verus haruspex L(ucius) Pomponius Cari/⁵sianus scriba librarius P(ublius) Papenius Salutaris / scriba librarius

42. Dispute about Site between *Daulis* and Memmios, son of Antiochos

Date(s): AD 118

If classified according to Frontinus' taxonomy of land disputes preserved in the *corpus agrimensorum*, ³¹⁸ this dispute would strictly be termed a "**dispute about site**" (*controversia de loco*), a quasi-legal classification that the judge in this case signals when he says he was "appointed ... concerning the disputed sites" (δοθεὶς ... περὶ χώρας ἀμφισβητο<υμένης ... >). Roman surveyors (and presumably the landowners and officials they advised) understood that a given legal category of case could involve elements of other types of cases or, as evidence came to light, could require reformulation of the case itself. This incident demonstrates all of these characteristics.

In November AD 118, an otherwise unknown individual named T. Phlaouios Euboulos delivered a verdict on a dispute between the city of *Daulis* (represented by two named individuals) and a private party, one Memmios, son of Antiochos (also called Antiochos). Euboulos' verdict, together with a subsequent, undated decree of the city of *Daulis* designed to clarify certain aspects of implementation and documentation, were inscribed on two adjoining sides of a large stele. This inscription was discovered in the area of *Daulis* in the late 19th century, and is nearly complete.

Euboulos was clearly acting, in Roman terms, as a *iudex datus*. He styles himself "appointed judge and boundary-setter" (ὁ δοθεὶς κριτὴς καὶ ὁριστής). He records his appointment by one proconsul, service under a second, and delivery of the verdict on the orders of a third. No explanation is given for the length of his judicial tenure, although it is clear from other examples that resolution of such cases could be protracted, and it may be that some *iudices* lacked sufficient power or will to complete their assignments effectively. ³²¹ It may be that some degree of

³¹⁸ Campbell 2000, 4-9.

³¹⁹ Campbell 2000, 23-27.

³²⁰ The decree also introduces the names of other individuals who are not mentioned in Euboulos' verdict. It seems likely that they represent new owners of at least some of the property in question, having purchased it from Antiochos.

³²¹ Compare the even more protracted tenure of a judge appointed by the emperor Hadrian in the long-running dispute between *Coronea* and *Thisbe* over their adjoining territorial boundaries in an alpine pasturage on Mt. Helikon (Instance 43). Various legal maneuvers, combined with passive resistance by at least one of the parties, perpetuated a boundary dispute on *Sardinia* that, by AD 69, had repeatedly required the attention of three governors in succession (Instance 22). Claudius' famous edict issued at *Baiae* addresses a complicated legal fracas in northern Italy that may have involved boundary disputes. It had been under investigation by Roman authorities since the time of Tiberius, delayed in the resolution – as Claudius himself says – by the obstinate withdrawal of Tiberius to Capri and, subsequently, fear of Gaius on the part of the individual assigned to investigate (Instance 15). The eruption of a war arising from a

embarrassment for the delay, or self-justification to the locals for proceeding with a verdict that some may have viewed as premature, is reflected in the explicit citation of the third proconsul's order to produce a verdict.³²²

It seems that Antiochos had purchased land in four different locales (two of them adjoining) from the heirs of a single estate. In these locales, it would appear that the rest of the land was owned by the city of *Daulis* itself, or that *Daulis* had a claim of some kind against the estate in question. A dispute arose between the new owner and the city because the description of the purchased property evidently contained only the names of the locales and the area measurements of the property purchased in each. Euboulos verified Antiochos' claim on the basis of documentary evidence and then established a procedure for a survey in each locale to establish the boundaries and extent of Antiochos' property, ensuring the inclusion of the requisite land area in each.

Like the dispute between the city of *Histria* and a tax contractor, ³²³ as well as the fragmentary dispute between *Ostia* and various private parties, ³²⁴ these documents demonstrate the way in which standard descriptions of property in unsurveyed land could fuel disputes that required the intervention of Roman jurisdiction and, ultimately, a formal survey to secure a settlement. Another notable feature of these arrangements is the explicit grant of authority to Antiochos to pick the origin point for the survey in each locale.

boundary dispute between *Lepcis Magna* and *Oea* can similarly be laid at the feet of an imperial administrative apparatus distracted from the business of effective governance by turmoil at the highest levels (Instance 21).

³²² Whatever caused this case to span the tenures of three proconsuls, the analytic overview provided by Doukellis 1995, 222 must be rejected in its entirety ("La prise de contrôle des terres publiques relevant de la cité de Daulide par un certain Memmius Antiochus a dû créer un grand embarras au proconsul Cassius Maximus, qui communique les résultats de l'arbitrage à l'Empereur Hadrien."). This overview is riddled with blatant errors of fact in every particular. First, it is in no way clear from the surviving documents that Antiochos had seized public lands of Daulis. Rather, he purchased land from an estate, and there was a dispute over the exact location of these properties. It may be that Daulis had purchased (or been given) the rest, or had claimed a right to them in consequence of some legal difficulty with the inheritance (compare Instance 60). Second, there is no indication in the documents that Maximos, the proconsul who initially delegated the case to Mummios, expressed or felt any embarrassment or difficulty over the case. Third, no one is represented as communicating any aspect of the case to the emperor Hadrian. Hadrian's only appearance in the documents is as an element in the dating formula.

³²³ Instance 16.

³²⁴ Instance 60. See the relevant catalog entry for more discussion on the similarities and differences between these two cases.

42.1. IG 9.1.61.

ἀγαθῆ τύχη. / Αὐτοκράτορι Τραϊανῷ Ἡδριανῷ Καί/σαρι Σεβαστῷ τὸ [β]΄, Γναίω Πεδανίω Φού/σκω Σαλεινάτορι ὑπάτοις, πρὸ θ΄ / κ(αλανδῶν) Νουεμβρίων ἐκ Χαιρωνείας: / Ε Ζώπυρο]ς Άρι[στί]ω[νος κα]ὶ Παρμένων / Ζωπύ[ρου οἱ ἔγδικοι τῆς] Δαυλιέων πό/λεως έ[μα]ρτυ[ροποιήσαντ]ο ἀπόφασιν / ἀντιγε[γράφ]θαι [τὴν δοθεῖσ]αν ὑπὸ Τ(ίτου) Φλαου/ίου Εὐβούλου [τὴν ὑπο]γεγραμμένην. /10 Τ(ίτος) Φλάουιος Ε[ὔβουλος], ὁ δοθεὶς κριτὴς καὶ ὁρι/στὴς ὑπὸ Κα[σί]ο[υ Μαξίμου ἀ]νθυπάτου καὶ τηρη/[θ]εὶς ὑπὸ Οὐ[αλερίου Σεουή]ρου ἀνθυπάτου μετα/[ξὺ] Ζωπύρου [τοῦ Αριστίωνος κα]ὶ Παρμένωνος / τοῦ Ζωπ[ύρου καὶ Μεμμίου] Άντιόχου περὶ χώρας /15 ἀμφισβητο[υμένης, ἀκού]σ[ας] έκατέρου μέρους / ἐφ' ὅσον ἐβού[λοντο καὶ ἐπὶ] τὴν αὐτοψίαν ἐλθών, / κελεύσαντός [με ἀποφήνα]σθαι Κλωδίου Γρα/νιανοῦ τοῦ [κρατίστου ἀνθυ]πάτου, κρείνω καθὼ[ς] / ύπογέγραπτα[ι' ἀγροῦ δρ]υππίου, ὂν ἠγόρας[ε] /20 παρὰ τῶν [Κλέας κληρονόμ]ων Μέμμιος Αντίο/χος, κα[ταλαβόμενος] ἐ[κ τ]ω[ν] ἐπί με κομισθέ[ν]/των γραμμάτ[ων προσήκειν Άντι]όχω πλέθρα / Φωκικὰ [υλ[ε]΄, ὅσα ἂν εὑρεθῆ] πλείω τούτων, / κρείνω εἶναι [τῆς Δαυλιέων] πόλεως. ὁμο/²⁵ίως ἀγ[ροῦ] ε[ὐξυλείας πλέθρα] [υλ]΄ κρείνω / εἶναι Ά[ντιόχου, τὰ δὲ λοιπὰ τῆ]ς πόλεως εἶ/ναι. χωρίω[ν πλατάνου καὶ μ]οσχοτομεῶν / πλέθρ[α [σλ]' κρείνω εἶναι 'Αντ]ιόχου, τὰ δὲ λοι/πὰ τῆ[ς πόλεως. τὴν δὲ ἀρχὴ]ν τῆς μετρή[σεως] /30 κρεί[νω γενέσθαι τῆς χώρα]ς, ὅθεν ἂν βού/[λ]η[ται Ἀντίοχος ἐν έκατέ]ρω{ν} τῶν ἀγρῶν, / [δρ]υπ[πίω καὶ εὐξυλεία, ἐ]ν δὲ πλατάνω / [κ]αὶ μος[χοτομέαις μία ἐπ]' ἀμφοτέροις ἀρ/χὴ τῆς [μετρήσεως ἔστ]αι, μετρουμένων /35 [ἀπὸ] τῆ[ς δοθείσης ἀρχῆς τῶν ἐφ]εξῆς, μὴ / ἐ[λλογουμένων ταῖς μετρήσε]σιν ἀπάσαις / μήτε ρε[ίθρων μήτε ὅσα τραχέ]α ὄντα καὶ / μὴ δυν[άμενα γεωργεῖσθαι ὑ]πὲρ δέκα σ[φύ]/[ρας] ἐστ[ίν. παρῆσαν· Τ(ίτος) Φλαούιος Εὔβου/40λος ἀπεφηνάμην καὶ ἐσφράγισμαι], Λ(ούκιος) Μές/τριος Σώ[κλαρος, Κλεομένης] Κλεομένους, / Νείκων Συ[μφ]ό[ρου, Λαμπρίας] Νείκωνος, / Ζώπυρος Αντ[ιπάτρου], Σωσίβιος Δράκω/νος, Νείκων 'Αλ[εξάνδρ]ου, Λέων Θεοδό/45του, Κάλλων Φύλα[κος, Κάσ]σιος Μαρτιανός.

vacat

ψηφίσματι τῆς πόλεος. / ὁδὸς δὲ ἡ ἐπὶ τὸν / ἀρχαγέτην ἔξει πλά/τος καλάμους δύο. / τὰ δὲ σημεῖα καὶ τοὺ[ς] /⁵ ὅρους τῆς μετρήσε/ως ἐνχαράξουσι κο[ι]/νῆ ἐντὸς τῆς εἰκάδο[ς] / τοῦ δωδεκάτου μη/νός, ἡμῶν ὅταν ἐν/¹⁰χαραχθῶσιν ἐπελε[υ]/σομένων αὐτούς. / περὶ ἀγροῦ δρυππίο[υ] / κατὰ τὴν προκομισθ[εῖ]/σαν χεῖρα ὑπὸ Σεραπι/¹⁵ άδος Ζωπύρου τοῦ / ἐγδίκου καὶ τῶν περ[ὶ] / Φίλωνα Σωσικράτου[ς / καὶ Δάμωνα Ζωπύ/ρου ἀρχόντων κρείν[ο]/²⁰μεν, εἴ τι λείπει τῷ ἀ/ριθμῷ ἐκ τῆς ἀποφά/σεως τῆς Εὐβούλου / τετρακοσίων τριάκο[ν]/τα πέντε πλέθρων, /²⁵ τούτου ἔχειν ἀπαίτη/σιν Σεραπιάδα ἀπὸ / τῆς Δαυλιέων πόλε/ως. παρῆσαν· / Κούρριος Αὐτόβου/³⁰λος κέκρικα καὶ {τὴ[ν]} / τὴν πρώτην ἐσφρά/γις[α], Νεικειφόρος Λυ/κομήδους κέκρικα, / ᾿Αγασίας Τείμωνος /³⁵ κέκρικα, [Π](όπλιος) Αἴλιος / Δαμόξενος ἐσφρά/γισα τετάρτην, Εἰσί[δ](ωρος) / πέμπτην, Μητρόδω/ρος ᾿Απολλοδότου ᾿Αν/⁴⁰τικυρεὺς, Νεικάρε/τος Πίστου Τιθορεὺς], / Τύραννος Τυράννου / ἐσφράγισμαι, ᾿Ακίνδ[υ]/νος Καλλικράτους Τ[ι]/⁴⁵θορεὺς, Σέξ(τος) Κορν[ήλι]/ος ᾽Αξίοχος, Εὔνου[ς] / Ἐπαφρᾶ, Καλλιγένη[ς] / Κλεονείκου ἐσφράγι[κα / Τιθορεύς.

(Side a:) To good fortune. When the emperor Trajan **Hadrian** Caesar Augustus (was consul) for the 2nd time and Gnaios Phouskos Saleinator was consul, 9 days before the kalends of November at *Chaironeia*. Zopyros, son of Aristion, and Parmenon, son of Zopyros, the legal representatives of the city of the *Daulieoi*, certified that the underwritten verdict given by T. Phlaouios Euboulos was copied (accurately).

I, T. Phlaouios Euboulos, judge and boundary-setter appointed by Kasios Maximos the proconsul, supervised (or retained?) by Oualerios Seoueros, proconsul, between Zopyros son of Aristion and Parmenon, son of Zopyros, and Memmios, son of Antiochos, concerning the disputed places, having heard from both parties for as long as they wished and having attended the *demonstratio*, and having been ordered to deliver a verdict by Klodios Granianos, the most excellent proconsul, I judge as follows. Of the field Dryppios, which Memmios Antiochos bought for himself from the heirs of Kleon, as I understand from the documents presented to me, (I judge that) 435 Phocic plethra belong to Antiochos. Whatever should be found to be more than this, I judge to belong to the city of the *Daulieoi*. Similarly, of the field *Euxyleia*, 430 plethra I judge to be Antiochos', the remainder to be the city's. Of the estates *Platanos* and *Moschotomeai*, 230 *plethra* I judge to be Antiochos', the rest the city's. I judge that the origin point of the field survey should be established wherever Antiochos wishes in each of the fields *Dryppios* and *Euxyleia*, but in *Platanos* and *Moschotomeai* there will be one survey origin for both estates, with the survey proceeding continuously from the appointed origin, not including in the surveyed area streams, rough areas, or areas that cannot be cultivated that are over ten sphyrai. Present: T. Phlaouios Euboulos delivered the verdict and affixed his seal, L. Mestrios Soklaros, Kleomenes, son of Kleomenes, Neikon, son of Symphoros, Lamprias, son of Neikon, Zopyros, son of Antipatros, Sosibios, son of Drakon, Neikon, son of Alexandros, Leon, son of Theodotos, Kallon, son of Phylax, Kassios, son of Martianos.

(Side b:) By a decree of the city. The road to the (shrine of the) founder shall be two *kalamoi* wide. They shall engrave jointly the landmarks and boundaries of the survey by the twentieth day of the twelfth month, with us reviewing them when they are engraved. Concerning the field called *Dryppios*, in accordance with the document presented by Serapis, son of Sopyros the legal representative and by the archons for(?) Philon, son of Sosikrates and Damon, son of Zopyros, we judge that if there should be anything lacking from the measurements of four hundred thirty-five *plethra* in the verdict of Euboulos, that Serapis will have a claim for it from the city of the *Daulieoi*. Present: I, Kourrios Autoboulos, have judged and affixed the first seal. I Neikeiphoros, son of Lykomedes, have judged. I, Agasias, son of Teimon, have judged. I, P. Aelios Damoxenos have affixed the fourth seal. I, Eisidoros, fifth. Metrodoros, son of Apollodotos of *Antikyra*. Neikaretos, son of Pistos of *Tithorea*. Tyrannos, son of Tyrannos have affixed (this) seal. Akindynos, son of Kallikrates of *Tithorea*. Sex. Kornelios Axiochos. Eunous, son of Epaphras. Kalligenes, son of Keoneikus of *Tithorea* have affixed (this) seal.

43. Disputes Attested on an 'Archive Wall' from Coronea

Burton 2000, no. 71

Date(s): c. AD 125 - 161

This dossier provides evidence for, among other matters, a very complex and long-running **boundary dispute** between *Coroneia* and *Thisbe*, as well as two other disputes involving *Coronea* that may have touched on boundaries too.

Sometime after AD 161 a significant collection of imperial letters addressing civic affairs of *Coronea* was inscribed on a wall whose original context and function are now lost to us. Subsequently, this 'archive wall' was disassembled, and the blocks reused in the construction of churches and other structures in the area of ancient *Coronea*. A number of the surviving elements

of the wall have slowly been published over the course of the 20th century, so that we now have substantial portions of at least ten letters from three emperors (Hadrian: five, Antoninus Pius: four, and Marcus Aurelius together with Lucius Verus: one), as well as four smaller fragments of other documents. The latest letter, that of Marcus Aurelius and Verus (Text 43.10, AD 161), provides a *terminus post quem* for the inscription of the wall and, as Fossey has pointed out, a possible explanation for the selection and inscription of the other letters.³²⁵

The better-preserved portions of the archive can be divided into three topical groups:³²⁶

• A Hadrianic flood control project is discussed in at least three letters to *Coronea* (Texts 43.1 - 43.3), two of which are securely attributable to Hadrian.³²⁷ The work involved the construction of levees for several of the rivers feeding the *Copais Lacus*, and of an aqueduct, all at the emperor's expense.³²⁸ The ostensible goal was to eliminate flooding of agricultural land along the south and western shores of the lake. Instructions for the maintenance and protection of the works, and the levying of fines on anyone inflicting damage on them, were dictated in the final letter of the group.³²⁹

 $^{^{325}}$ This letter is of a standard type, confirming *Coronea's* rights of freedom and autonomy (ὅσα τῆς ἐλευθερίας καὶ αὐτονομίας δίκαια) as they had been granted by prior emperors and confirmed by Antoninus Pius. All commentators agree, on the basis of letter forms and layout, that the documents were inscribed together at the same time. Fossey's opinion on this matter led him to place the latest document first in his presentation; it does begin one of the surviving blocks, none of which were found *in situ*. If he is correct, the archive may have served to document and advertise various instances of imperial favor, granted over the years and confirmed once again for a new reign. In this regard, the dossier would bear some resemblance to the twin stelae from the territory of *Histria* (Instance 16). If Oliver and Roesch are right, however, in independently placing that block last in the sequence, then it may be more difficult to argue that this letter governs the whole collection, for another letter of Antoninus—too fragmentary to reveal its subject—follows this one. We would have expected a thematically diagnostic letter to come either first or last in such a dossier.

³²⁶ Fossey and Oliver see these three subject groupings as complementary but distinct, whereas Boatwright takes the entire collection as arising from a common origin. Specifically, she argues that all the disputes attested in the dossier arose over newly useful land reclaimed from the lake's margins through Hadrian's engineering works, with the result that "the imperial project seems to have incited smoldering local rivalries, inadvertently causing greater outside interference in the region rather than a more stable autonomy" (Boatwright 2000, 87 and 115-116). Fossey too acknowledges a probable link between the Hadrianic project documented in Text 43.1, which involved the construction of "levees for the Kepheisos, Herkynna and the other rivers," and the mysterious dispute at the Phalaros, delegated to Aemilius Iuncus in Text 43.5. On the other hand, Fossey sees no connection between the *Thisbe-Coronea* dispute and Hadrian's drainage projects. He argues that the territory in dispute was "in the small plain of the upland village of Koúkoura where the territories of Koroneia and Thisbe meet high on Mt. Helikon." It is indeed hard to believe that *Thisbe*, lying as it did on relatively flat land at the southern foot of Mt. Helikon, should have been contending with Coronea, its counterpart to the north of the mountain range, for pasture rights to land on the littoral of the Copais Lacus, probably lying further to the north and west of Coronea. Burton 2000, 211 no. 71 has hopelessly confused this dossier, citing only a portion of it and describing it incorrectly as "a dispute between Orchomenos and Thisbe over territory and rights of pasturage ..." In point of fact, Orchomenos and Thisbe were clearly embroiled in separate disputes, each against Coronea, and are never represented in the dossier as having been in conflict with each other.

³²⁷ Based on the first letter's date of AD 125, it seems likely that the project had its genesis during Hadrian's trip through *Boeotia* (Birley 1997, 186). The second letter provides additional support for this

- Three probable disputes with neighboring cities are addressed in six other documents (Texts 43.4 43.9)
 - Text 43.4: A single, fragmentary response to a petition (presumably of *Coronea*), issued by an unknown emperor (presumably Hadrian), that mentions construction, taxes and *Orchomenos*. The emperor delegates resolution of any future complaints to the proconsul Calpurnius Longus.
 - Text 43.5: A single response to a petition of *Coronea*, issued by the emperor Hadrian, delegating on-site resolution of some kind of dispute or problem (not specified) at the river *Phalaros* to the emperor's friend, Aemilius Iuncus, who was to go there in person. This dispute probably arose from the extensive hydraulic works initiated by Hadrian ten years earlier, attested in Texts 43.1 43.3. It may well have involved boundaries of the land thus reclaimed or maintenance of the levees, hence the need for personal intervention on-site.
 - o Texts 43.6 43.9: Four letters (one of Hadrian and three of Antoninus) relating to a protracted dispute between *Thisbe* and *Coronea* concerning grazing rights, seized 'security,' disrupted boundary measurements, and disputed fees. This is the most complex component of the archive, and represents one of the most administratively convoluted boundary disputes in all the extant evidence. Repeatedly delegated by both emperors to the otherwise unknown Mestrios Aristonymos, the situation nonetheless proved intractable until at least AD 154/5, when Antoninus charged the proconsul (unnamed) to "determine which are the parties disobeying the [prior] rulings ... and to ensure the quickest possible implementation of Aristonymos' (decision)"³³⁰).
- Confirmation of civic rights of *Coronea* by Marcus Aurelius and Lucius Verus, and (possibly) by Antoninus Pius (Text 43.10-43.11).
- The other three fragments are too small to permit any detailed analysis (Text 43.12-43.14).

view. Though fragmentary, it also cites Hadrian's ninth year of tribunician power and includes some discussion of "wine for soldiers traveling with [him]" (οἶνον τοῖς στρατιώταις τοῖς σὺν ἐμοὶ).

 328 The rivers *Kepheisos*, *Herkynna* and *Phalaros* are mentioned explicitly, and "the other rivers where, flowing together, they empty into the Copaic Lake" (Text 43.1 = καὶ τοίς ἄλλοις ποταμοῖς καθὸ ἢδη μετ' ἀλλήλων ῥέοντες εἰς τὴν Κωπαΐδα λίμην ἐμβάλλουσι).

329 Oliver 1989, 266 read and supplemented [--- οἱ δὲ] ἐνκεκτημένοι δικαιοί εἰσιν bordering a break in the text of Text 43.3 (line 7), leading him to argue that the emperor was providing for the punishment of transgressors from "a privileged group whom the free city might have found difficult to punish or coerce ... foreign landholders, at least some of them with Roman citizenship and influence." Jones 1992, 146 disagrees with this position, in part because neither Roesch nor Fossey reads the initial epsilon reported by Oliver. Jones thinks Hadrian is simply exercising the patron's prerogative, giving instructions for the protection of a work completed through imperial largesse; therefore he would supplement the lacuna with something like: [--- οἱ δὲ τὴν πλησίον γῆ]ν κεκτημένοι.

 330 Text $43.6 = \mu\alpha\theta$ εῖν πότεροι εἰσιν οἱ ἀπειθοῦντες τοῖς ἐγνω[σμένοις καὶ] προνοήσει τὴν ταχίσταν ὑπὸ τοῦ ᾿Αριστωνύμου τεθῆναι [—-].

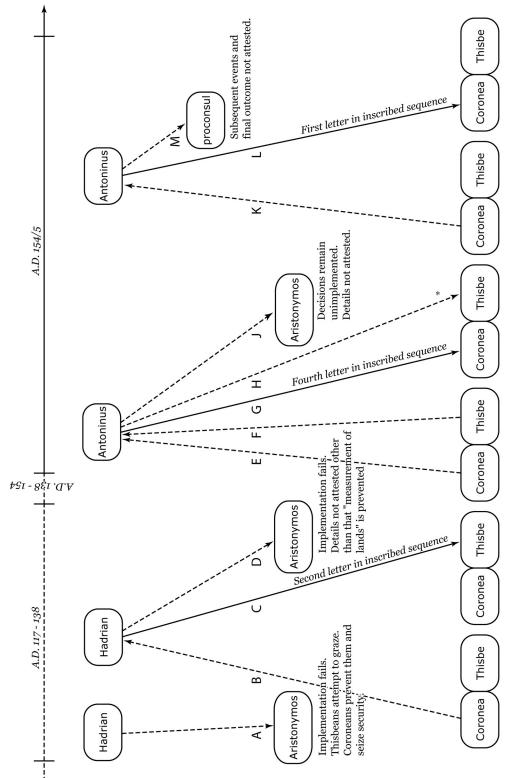
The first two disputes (Texts 43.4 and 43.5) were probably boundary disputes, but because of their language or incomplete condition, this must remain only a provisional assessment.

The sequence of four letters from Hadrian and Antoninus Pius regarding a protracted dispute between *Coronea* and *Thisbe* (Texts 43.6 - 43.9) is particularly interesting to us here. This dispute was probably centered on summer pasture areas and the boundaries between them in a high plain of Mt. Helikon surrounding the modern village of Koukoura.³³¹

The first letter of the group in inscribed sequence (43.6) seems to have been Pius' last letter on the matter. It is marked 'L' in Figure 2, which presents the documentation for this dispute in chronological order, rather than in the order the documents were inscribed. This letter dates to the 18^{th} year of his tribunician power (AD 154/5), and was provoked by an embassy from *Coronea* which brought to him a civic decree ($\psi \dot{\eta} \phi \iota \sigma \mu \alpha$), no longer extant ('K'). This decree evidently contained charges that the Thisbeans had interfered with land measurement required by an earlier verdict of Hadrian ('A'). It also emerges from Pius's letter that he had retained Hadrian's verdict as valid in a subsequent decision of his own ('G' and 'H'). Antoninus delegated enforcement of these prior verdicts, which had something to do with someone named Aristonymos, 332 to the proconsul, who is not named ('M').

³³¹ See note 326 for further discussion.

³³² This individual, who seems to have played such a pivotal—if ineffective—role in this dispute for over 20 years, seems to be otherwise completely unknown to us.



Extant letters are indicated with a solid line; letters or petitions attested in one of the letters, but not actually preserved in the dossier, are indicated with a dashed line.

* The third letter in inscribed sequence seems to be irrelevant to the dispute. The first inscribed letter leads us to expect a copy of a letter from Antoninus to Thisbe, but there is no such letter in the dossier. Perhaps the third letter was substituted by the Coroneans for another letter from Antoninus that had been lost or which was deemed to be insufficiently favorable in content.

We would expect to see next in the archive the text of whatever had been attached to Antoninus' letter, including the "copies of what [he] had dispatched to the *Thisbeis*." There are two letters inscribed as if attachments to the original letter: a letter of Hadrian to *Thisbe* (under a heading styling him 'god' and lacking his full introduction and imperial titulature, Text 43.7 = 'C'), and a seemingly unrelated letter of Antoninus, dating to AD 140 (Text 43.8). These are followed by another letter of Antoninus to *Coronea*, also written in the 18th year of his tribunician power, in which the emperor announces his "verdict in the dispute between you and the *Thisbeis*" (Text 43.9 = 'G').

Hadrian's letter ('C') is short and to the point, chastising the *Thisbeis* for failing to obey his verdict and invading the territory of the *Koroneioi*. It is clearly not the original decision ('A') mentioned by Antoninus in the initial letter of the dossier ('L'). Rather, Hadrian is addressing complaints from the Coroneans ('B') that the Thisbeans had violated the terms of that decision. In other words, Hadrian's original decision, delegating the resolution of the case, is now lost to us, but it is clear from the surviving texts that that decision was not properly implemented or observed, and so the matter was brought to his attention again. Both the original judgment, and now the assessment of penalties for its abrogation, were delegated to the same man mentioned in Antoninus' later letter: Mestrios Aristonymos ('A' and 'D').

Antoninus' earliest relevant letter (inscribed fourth = 'G') makes it clear that the dispute continued more than 18 years after Hadrian's death. Either Aristonymos had been unable to completely resolve the matter, despite the second commission from Hadrian, and it had taken almost two decades for the parties to bring the matter before Antoninus, or fresh trouble related to the old dispute had broken out. The latter seems more likely, since once again Antoninus refers the dispute to Aristonymos for resolution, in this case an as-yet incomplete field survey stemming from Hadrian's original verdict ($\alpha\pi\delta\phi\alpha\sigma\iota\varsigma$ = 'J').

This long-running affair demonstrates a seemingly habitual application of the petition-response-delegation procedure at the highest levels to a boundary dispute, with little regard for its effectiveness. There is no evidence that a provincial governor was involved in the case at any stage except the very last, when Antoninus seems to be trying to avert further fruitless correspondence by delegating resolution of the matter (and punishment of the obstinate) once and for all to the proconsul. This absence of the governor as intermediary and as primary judiciary authority in the case must surely be a consequence of Hadrian's original visit to the area. His

³³³ In this letter Antoninus acknowledges a Coronean embassy that had come to congratulate him on his accession and adoption of the future emperor Marcus Aurelius. This letter would appear to have been substituted for the copy of Antoninus' response to *Thisbe* ('H'), promised in his final letter to *Thisbe*.

presence must have attracted to him a number of disputes and petitions that, in the normal course of events, would have gone to the proconsul, had there not been an emperor in the province. The choice of Mestrios Aristonymos as the emperor's representative in the matter must also be viewed in hindsight as ineffective. Whatever his standing and personal authority, he appears to have been incapable of bringing about a lasting settlement. Once the emperor had engaged with the concerns of the communities in this particular matter, it seems to have been very difficult for a lesser man to bring about a resolution. All told, we have evidence that this affair made its way to the emperor and back again four times over a span of at least 20 years. It was only under Antoninus, when the dispute was revived and then proved intractable in the course of a single year that a more aggressive and sensible approach was taken. It is a further pity that we do not have any evidence with which to measure the governor's effectiveness in this matter.

43.1. *Oliver 1989 no. 108; EB 1.7; Roesch 1985 E.85.02; SEG 32.460; Fossey 1981/82 no. 7.

Άγαθὴ τύχη. / Αὐτοκράτωρ Καῖσαρ, θεοῦ Τραιανοῦ Παρθικοῦ υἱός, θεοῦ Νέρουα υἱωνός, / Τραιανὸς Ἡδριανὸς Σεβαστός, ἀρχιερεὺς μέγιστος, δημαρχικῆς ἐξου/σίας τὸ θ, ὕπατος τὸ γ. Κορωνέων τοῖς ἄρχουσι καὶ τῆ βουλῆ καὶ τῶι / δήμωι χαίρειν. /⁵ Ἐκέλευσα γενέσθαι χώματα τῷ Κηφεισῷ καὶ τῆ Ἑρκύννῃ καὶ τοῖς ἄλ/λοις ποταμοῖς καθὸ ἤδη μετ' ἀλλήλων ῥέοντες εἰς τὴν Κωπαΐδα / λίμην ἐμβάλλουσι, καὶ γενήσεται τὴν ταχίστην ὡς κατὰ τὰς / ὄχθας ῥέοντες μὴ ἐκτρέποιντο τοῦ πόρου μήδε ὥσπερ νῦν / ἐπικλύζοιεν τὴν πολλὴν τῆς χώρας τῆς ἐργασίμου κατάξω /¹⁰ δὲ ὑμεῖν καὶ ὕδωρ καὶ τὸ μὲν ἀργύριον δοθήσεται παρ' ἐμοῦ, / ἑξ καὶ ἥμισυ μυριάδες, ὅσου δεήσειν ἔφασκον οἱ τῶν τοιού/των ἐπιστήμονες ὑμεῖς δὲ ἕλεσθε τοὺς ἐπιμελησομέ/νους.

Good fortune.

The emperor Caesar, son of the god Trajan Parthicus, grandson of the god Nerva, Trajan **Hadrian** Augustus, pontifex maximus, holding the tribunician power (for the) 9th (time), consul 3 (times), to the magistrates, council and people of the *Koroneoi*, greetings. I ordered dikes to be built for the *Kepheisos* and the *Herkynna* and the other rivers where, flowing together, they empty into Lake Kopais. And this will come about by the quickest possible means in order that, flowing along the dikes, they will not deviate from their paths nor, as now, overflow the majority of your arable land. And I shall also lead down water for you, ³³⁵ and the money shall be given by me – six and a half ten-thousands – which the experts in such things say will be necessary. You elect the curators.

³³⁴ It is particularly frustrating that we do not find a title for Aristonymos in these documents.

³³⁵ i.e., I will build an aqueduct for you.

43.2. *Oliver 1989 no. 109; EB 1.8 (Oliver block I, ll. 15-19) + 1.3 (Oliver block II, ll. 1-4); Roesch 1985 E.85.03 + E.85.04; SEG 32.461 and 470; Fossey 1981/82 no. 8 + 3.

Αὐτοκράτωρ Καῖσαρ, θεοῦ Τραινοῦ Παρθικοῦ υἱός, θεοῦ Νέρουα υἱω/νός, Τραιανὸς 'Αδριανὸς Σεβαστός, ἀρχιερεὺς μέγιστος, δημαρχι/κῆς ἐξουσίας τὸ θ, ὕπατος τὸ γ, πατὴρ πατρίδος, Κορωνέων / τοῖς ἄρχουσι καὶ τῆ βουλῆ καὶ τῷ δήμῳ, χαίρειν. Αὐτὸς ἐγὼ συμπράττων ταῖς πόλεσιν πρὸς εὐπορίαν χρημά // [------]ΜΙ τὰς αὐτῶν ἐκείνων ἀφορμὰς ἱκανὸν /⁵ [-------]ΟΝ οἴνον τοῖς στρατιώταις τοῖς σὺν ἐμοὶ / [------]Ν Ἐπρέσβευεν 'Αγησίας 'Αθηνοδώρου ΑΓΑ/[-------] Εὐτυχεῖτε.

The emperor Caesar, son of the god Trajan Parthicus, grandson of Nerva, Trajan **Hadrian** Augustus, pontifex maximus, holding the tribunician power (for the) 9th (time), consul 3 (times), father of the country, to the magistrates, council and people of the *Koroneoi*, greetings. I myself, joining with the cities toward a good supply of funds ... the resources for those very purposes, enough ... wine for the soldiers with me ... as representative Hagesias, son of Athenodoros ... Farewell.

43.3. *Oliver 1989 no. 110; EB 1.4; Roesch 1985 E.85.05; SEG 32.463 and 1706; Fossey 1981/82 no. 4. See also: Jones 1992, 146.

The emperor Caesar, son of the god Trajan Parthicus, grandson of the god Nerva, Trajan **Hadrian** Augustus, pontifex maximus, holding the tribunician power (for the) ?th (time), consul 3? (times), father of the country, to the magistrates, council and people of the *Koroneoi*, greeting. The work at the *Phalaros* has turned out (to be worth your) effort, not only for utility, but also for appearance. In order that (in the future?) at some time its disrepair should not be forgotten, it is your (responsibility to see to? ...) the owners are justified, since they also use ... the water, to have the care of the dikes and ... not to drive stakes into (them?). It is necessary (for the owners along the dikes?) to install fishing weirs(?) and pilings(?) on the river but not ... making a barrier. The one caught ... himself will restore the damage to the work and will contribute to the city (a fine of one thousand?) five hundred denarii. ... Farewell.

43.4. *Oliver 1989 no. 111; EB 1.5; Roesch 1985 E.85.06; SEG 32.466; Fossey 1981/82 no. 5.

... (you all) inform him also concerning the (lands? areas?)³³⁶ in the direction of the *Orchomenioi*, for he will not begin this work before investigating lest something harmful to you should be likely to occur. If the *Orchomenioi* do not observe my judgments concerning the taxes, appeal to the most excellent proconsul Kalpournios Longos, and he will force them not to collect tax contrary to my judgments. I have sent to him also a rescript (copy?) of your decree. Zoilos, son of Dionymos was the ambassador. Let the travel allowance be paid to him unless he promised (it as a) gift. Farewell.

43.5. *Oliver 1989 no. 112; EB 1.6; Roesch 1985 E.85.07; SEG 32.462; Fossev 1981/82 no. 6.

Αὐτοκράτωρ Καῖσαρ θεοῦ Τραιανοῦ Παρθικοῦ υἱος θεοῦ Νέρουα υἱωνός / Τραιανὸς 'Αδριανὸς Σεβαστός ἀρχιερεὺς μέγιστος δημαρχικῆς ἐξ / ουσίας τὸ ιθ ὕπατος τὸ γ πατὴρ πατρίδος Κορωνέων τοῖς ἄρ/χουσι καὶ τῆ βουλῆ καὶ τῶι δήμωι χαίρειν. / [Ἐπ]έστειλα Αἰμιλίωι Ἰούγκῳ τῶι κρατίστωι φίλῳ μου ἐλθεῖν ἐ/⁵[πὶ] τὸν Φάλαρον ποταμὸν καὶ ὅ τι ἄν ἡγῆται προσήκειν ποιῆσαι / [καὶ] διδάξατε αὐτὸν ἃ ἐπ' ἐμοῦ εἴπατε. Ἐπρέσβευον Αἴλιος Διώ/[νυ]μος, Δάμων Προστατήρου, Αὐτόβουλος Εὐφροσύνου, 'Ερμαῖος Θέωνος.

The emperor Caesar, son of the god Trajan Parthicus, grandson of the god Nerva, Trajan **Hadrian** Augustus, pontifex maximus, holding the tribunician power for the 19th (time), consul 3 times, father of the country, to the magistrates, council and people of the *Koroneoi*, greetings. I wrote to Aimilios Iounkos, my most excellent friend, to go to the river *Phalaros* and to do whatever he thinks is proper. Demonstrate to him the things which you said to me. The ambassadors were Ailios, son of Dionymos, Damon, son of Prostateros, Autoboulos, son of Euphrosynos, Hermaios, son of Theon.

 $^{^{336}}$ Compare the construction here $(\pi\epsilon\rho i \tau \hat{\omega} \nu \pi\rho \delta \varsigma 'O\rho \chi o\mu \epsilon \nu i ov \zeta)$ with that found in line 12 of Text 39.4 $(\tau[\delta] \pi\rho \delta \varsigma [\Delta\epsilon] \lambda \phi o \delta \varsigma \mu \epsilon [\rho] o \varsigma)$. Additional comparanda, demonstrating the omission of the noun, may be found in the Neronian boundary inscriptions from the area of Sagalassos (Instance 79), where we find the following phrase used: $\tau \dot{\alpha} \mu \dot{\epsilon} \nu \delta \epsilon \xi i \dot{\alpha} \epsilon \nu i \nu i \kappa \delta \epsilon \dot{\epsilon} \nu \dot{\alpha} \rho i \sigma \epsilon \rho \dot{\alpha} \kappa \dot{\omega} \mu \eta \varsigma T \nu \mu \beta \rho i \alpha \nu \alpha \sigma \delta \dot{\omega} \nu$. Oliver translates: "... inform him also concerning those to the Orchomenians." Fossey: "... let him know of the matter concerning the Orchomenians."

43.6. SEG 42.411; *Oliver 1989 no. 113.

[Ἀυτοκράτωρ Καΐσαρ θεού] 'Αδρ[ια]νοῦ υἱος θεοῦ Τραιανοῦ Παρθικοῦ υἱωνός θεοῦ Νέρου/[α ἔκγον]ος Τίτος Αἴλιος 'Αδριανὸς ''Αντωνεῖνος Σεβαστός ἀρχιερεὺς μέγιστος δημαρ/[χικῆς ἐ]ξουσίας τὸ ΙΗ αὐτοκράτωρ τὸ Β ὕπατος τὸ Δ πατὴρ πατρίδος Κορωνέων τοῖ[ς] / [ἄρ]χουσι καὶ τῆ βουλῆ καὶ τῷ δήμω χαίρειν. / 'Ων ἐπέστειλα Θισβεῦσι ἐντυ[χ]ὼν τῷ ψηφίσματι ὑμῶν ἀντίγραφα πεμφθῆν[αι] /⁵ ὑμεῖν ἐκείνους ἀκεῖνοι δὲ ὑμᾶς αἰτιῶνται ὡς οὑκ ἐῶντας τὴν [μέ]/τρησιν τῶν πλέθρων γενέσθαι κατὰ τὴν ἀπόφασιν ἣν ὁ θεὸς πατήρ μου [ἀπεφή]/νατο μετὰ ταῦτα δὲ ἐγὼ δικάσας κυρίαν ἐτήρησα ἐπιμελὲς ἔσται τὸ [λοιπὸν] / τῷ ἀνθυπάτῳ μαθεῖν πότεροί εἰσιν οἱ ἀπειθοῦντες τοῖς ἐγνω[σμένοις καὶ] /¹⁰ προνοήσει τὴν ταχίστην ὑπὸ τοῦ 'Αριστωνύμου τεθῆναι τ[-----] / τὰ κριθέντα ὅπως ἤδη ποτὲ πέρας γένοιτο πράγματος ο[------]/ου καὶ παρέχοντος ἀφορμὴν καὶ πρόφασιν ταῖς πόλεσι[ν συνεχοῦς ἔριδος καὶ] / φιλονεικίας. 'Επρέσβευον Αἴλιος Γλύκων, Αἴλιος Αλο[-----]/λαρου προῖκα ὡς διὰ τοῦ ψηφίσματος ἐδηλοῦτε. Εὐ[τυχεῖτε].

The emperor Caesar, son of the god Hadrian, grandson of the god Trajan Parthicus, great-grandson of the god Nerva, Titus Aelius Hadrianus **Antoninus** Augustus, pontifex maximus, holding the tribunician power for the 18th (time), (saluted as) imperator 2 (times), consul 4 (times), father of the country, to the magistrates, council and people of the *Koroneoi*, greetings. Upon hearing your decree, I ordered a copy of those things which I sent to the *Thisbeis* to be sent to you so that you might know that I considered the matter worthy of attention. Since you accuse them and they accuse you of not permitting the measuring of the *plethra* (i.e., the survey) to occur according to the verdict that the god my father (i.e., Hadrian) rendered concerning these things and that I, judging it to be valid, retained, in future it will be the responsibility of the proconsul to discover which of the two parties are the ones refusing to comply with prior judgements, and he will provide for the quickest possible way to establish the findings of the verdicts ... by Aristonymos so that a quick conclusion might be made of an affair ... providing a starting-point and an excuse to the cities for strife and rivalry. The ambassadors were Ailios Glykon, Alo... gift, as you made clear through your decree. Farewell.

43.7. *Oliver 1989 no. 114; EB 1.9 (Oliver block V, ll. 1-4); Roesch 1985 E.85.10.I; SEG 32.467; Fossey 1981/82 no. 9; IG 7.2870.I. See also: Jones 1992, 146.

Θεοῦ Ἡδριανοῦ γραφεῖσα Θισβεῦσιν / ἐπέστειλάν μοι Κορωνεῖς αἰτιώμενοι ὑμᾶς ὡς τοὐ[ναντίον ποιοῦντας ὧν] / ὑμεῖν καὶ ἐκείνοις Μέστριος Ἡριστώνυμος ὑπ' ἐμοῦ κελε[υθεὶς ἔκρινε ἦνδὲ δί]/καιον ὁπότε ὑμεῖς οὐκ [ἐ]πείθεσθε τοῖς κριθεῖσιν ἀλλὰ εἰσήειτε ἰς τὴν ἐκείνων χώραν / κἀκείνους ἰς τὸ μὴ περ[ι]ορᾶν ὑμᾶς νέμοντας τρέπεσθαι πόσον δέ ἐστιν τὸ ὀφειλόμε/⁵νον τέλος ἢ τίνα εἰσὶν ἃ κατεσχήκασιν ὑμῶν Κορωνεῖς ἐνέχυρα Ἡριστώνυμος / ὁ αὐτός κρινεῖ. Εὐτυχεῖτε.

Of the god **Hadrian**, written to the *Thisbeis*. The *Koroneioi* wrote to me, accusing you of doing the opposite of what Mestrios Aristonymos decided on my order, but it was right—when you did not obey the decisions but began invading their territory—that they should resort to preventing you from grazing. How much the tax due to them is, or what security of yours the *Koroneioi* have kept, Aristonymos himself will judge. Farewell.

43.8. *Oliver 1989 no. 115; EB 1.10; Roesch 1985 E.85.10.II; SEG 32.464; Fossey 1981/82 no. 10; IG 7.2870.II.

Αὐτοκράτωρ Καῖσαρ, θεοῦ Ἡδριανοῦ υἱός, θεοῦ Τραϊανοῦ Παρθι/κοῦ υἱωνός, θεοῦ Νέρουα ἔκγονος, Τίτος Αἴλιος Ἡδριανὸς ἀντωνεῖνος Σεβαστός, ἀρχιερεὺς μέγιστος, / δημαρχικῆς ἐξουσίας τὸ γ', ὕπατος γ', πατὴρ πατρίδος, Κορωνέων τοῖς ἄρχουσι καὶ τῆ βουλῆ καὶ τῷ δή/μω χαίρειν καὶ τοῦ θεοῦ πατρός μου δικαίως μεμνημένοι καὶ τῆς ἐμῆς ἀρχῆς κατὰ τὸ προσῆκον / ἐπῃσθημένοι καὶ ὑπὲρ τοῦ υἱοῦ μου προθύμως συνηδόμενοι πρέποντα Ἑλλησιν ἀνθρώποις ποιεῖ/⁵τε. ἐπρέσβευεν Δημήτριος Διονυσίου, ὧ τὸ ἐφόδιον δοθήτω, εἰ μὴ προῖκα ὑπέσχετο εὐτυχεῖτε.

The emperor Caesar, son of the god Hadrian, grandson of the god Trajan Parthicus, greatgrandson of the god Nerva, Titus Aelius Hadrianus **Antoninus** Augustus, pontifex maximus, holding the tribunician power (for the) 3rd (time), consul 3 (times), father of the country, to the magistrates, council and people of the *Koroneoi*, greetings. In justly memorializing the god my father, in acknowledging – as is proper – my accession, and in rejoicing eagerly for my son, you behave appropriately for Greek men. The ambassador was Demetrios, son of Dionysios, to whom may the travel allowance be given, unless he promised it as a gift. Farewell.

43.9. *Oliver 1989 no. 116; EB 1.11; Roesch 1985 E.85.10.III; SEG 32.468; Fossey 1981/82 no. 11; IG 7.2870.III.

Αὐτοκράτωρ Καῖσαρ θεοῦ 'Αδ[ρι]ανοῦ υἱός θεοῦ Τραιανοῦ Παρθικοῦ υἱωνός θεοῦ Νέρουα ἔκγονος Τί/τος Αἴλιος 'Αδριανὸς 'Αντωνε[ῖ]νος Σεβαστός ἀρχιερεὺς μέγιστος δημαρχικῆς ἐξουσίας τὸ ΙΗ' αὐτο/κράτωρ τὸ Β' ὕπατος τὸ Δ' πατὴρ πατρίδος Κορωνέων τοῖς ἄρχουσι καὶ τῆ βουλῆ καὶ τῷ δήμῳ χαί/ρειν. Τῆς ἀποφάσεως ἦν ἐ[π]οιησάμην μεταξὺ ὑμῶν καὶ Θισβέων ἀντίγραφον ὑμεῖν ἔπεμψα ἐ/πέστειλα δὲ καὶ Μεστρίῳ 'Αρισ[τ]ωνύμῳ ἀπομετρῆσαι τὰ πλέθρα Θισβεῦσιν ἃ προσέταξεν αὐτοῖς ὁ /⁵ θεὸς πατήρ μου παραδοθῆ[ναι] τῆς δὲ ἔξωθεν χῶρας εἴ τινα Θισβεῖς ἐπινέμοιεν πείθοντες ὑμᾶς / δώσουσιν ἐννόμιον τέλο[ς ὃτα]ν δὲ καὶ ἀποδῶσιν ὃσον ἄν ὑπὲρ τοῦ χρόνου τοῦ παρελθόντος ὀφ[εί]/λειν αὐτούς κριθῆ δῆλον ὅτ[ι καὶ ὑ]μεῖς τὰ ἐνέχυρα αὐτοῖς ἀποδώσετε. Ἐπρέσβευον Αἴλιος Γλύκ[ων] / καὶ Διονύσιος Διονυσοδώρου ο[ἷς τὸ] ἐφόδιον δοθήτω εἰ μὴ προῖκα ὑπέσχηνται. Εὐτυχεῖτε.

The emperor Caesar, son of the god Hadrian, grandson of the god Trajan Parthicus, great-grandson of the god Nerva, Titus Aelius Hadrianus **Antoninus** Augustus, pontifex maximus, holding the tribunician power for the 18th time, (hailed as) imperator 2 times, consul 4 times, father of the country, to the magistrates, council and people of the *Koroneioi*, greetings. I have sent you a copy of the verdict which I made between you and the Thisbeis, and I wrote also to Mestrios Aristonymos to measure out the *plethra* to the *Thisbeis* which the god my father ordered to be given to them. And if the *Thisbeis*, persuading you, should pasture (their livestock) on some of the land outside (the measured area?), they will give a pasturage tax. If ever they should also restore as much as they are judged to owe for the time that is past, it is clear that you also will restore to them the collateral. Ailios Glykon and Dionysios son of Dionysodoros were the ambassors, to whom the travel allowance should be given unless they promised it as a gift. Farewell.

43.10. *Oliver 1989 no. 117; EB 1.1; Roesch 1985 E.85.08; SEG 32.469; Fossey 1981/82 no. 1.

Άγαθὴ τύχη. Αὐτοκράτωρ Καῖσαρ [Μᾶρ]κος Αὐρήλιος Άντων[ῖνοω] Σεβ[α]σ[τ]ός, ἀρχιερεὺς / μέγιστος, δημαρχικῆς ἐξουσίας τὸ ιε ὕπα[τ]ος τὸ γ κα[ὶ] Αὐτοκράτωρ Καῖσαρ Λούκιος Αὐρήλιος Οὐῆρος Σεβαστός, δη[μαρ]χικῆς ἐξουσίας [τὸ β], ὕπα/τος τὸ β, θεοῦ Άντωνίνου υἱοί, θεοῦ Ἡδριανοῦ [υἱ]ωνοί, θεοῦ Τραϊανοῦ / Παρθικοῦ ἔκγονοι, θεοῦ Νέρουα ἀπόγονοι Κο[ρ]ωνέων τοῖς ἄρχουσι / καὶ τῆ βουλῆ· καὶ τῶι δήμωι, [χ]αίρειν. /⁵ Ὅσα τῆς ἐλευθερίας καὶ αὐτονομίας δίκαια ἐδόθη πρότερον ὑμεῖν / ὑπὸ τῶν ἡμετέρων προγόνων ἐτήρησέν [τε ὁ] θεὸς πατὴρ ἡ[μ]ῶν / ταῦτα καὶ ἡμεῖς βεβαιοῦμεν. Ἐπρέσβευον [••••]Σ Ἡλεξανγρο[•·] ἀ/γαθοκλῆς Λεοντᾶ· Αἴλιος Διώνυμος ἀντω[ν•••••] ΔΙΔ[••••] οἷς / τὸ ἐφόδιον δοθήτω εἰ μὴ προῖκα ὑπέσχηνται. [Εὐτυχεῖτε.]

Good fortune. The emperor Caesar **Marcus Aurelius** Antoninus Augustus, pontifex maximus, holding the tribunician power for the 15th time, consul 3 times, and the emperor Caesar Lucius Aurelius **Verus** Augustus, holding the tribunician power for the second time, consul twice, sons of the god Antoninus, grandsons of the god Hadrian, great-grandsons of the god Trajan, great-great grandsons of the god Nerva, to the magistrates, council and people of the *Koroneoi*, greetings. As many rights of freedoms and autonomy as were given to you before by our ancestors which the god our father preserved, these things we also confirm. The ambassadors were ... Alexander .. Agathokles, son of Leontas, Ailios Dionymos, Anton... to whom the travel allowance should be paid unless they promised it as a gift. Farewell.

43.11. *Oliver 1989 no. 118; EB 1.2; Roesch 1985 E.85.09; SEG 32.465; Fossey 1981/82 no. 2.

Αὐτοκράτωρ Καῖσαρ, θεοῦ Ἡδριανοῦ υἱός, θεοῦ Τραϊανο[ῦ Παρθικοῦ υἱωνός,] / θεοῦ Νέρουα ἔκγονος. Τίτος Αἴλιος Ἡδριανὸς Ἡ[ντωνεῖνος Σεβαστός,] / ἀρχιερεὺς μέγιστος δημαρχικῆς ἐξουσίας τὸ ια, [αὐτοκράτωρ τὸ β,] / ὕπατος τὸ δ, πατὴρ πατρίδος, Κορωνέων το[ῖς ἄρχουσι καὶ τῆ βουλῆ] / καὶ τῶι δήμωι, χαίρειν. /5 Ἡς δοκεῖτε μοι καὶ τὸ ἐξ ἀρχῆς ἀνατεθεικ[-------]

The emperor Caesar, son of the god Hadrian, grandson of the god Trajan Parthicus, great-grandson of the god Nerva, Titus Aelius Hadrian **Antoninus** Augustus, pontifex maximus, holding the tribunician power for the 11th time, (hailed as) imperator twice, consul 4 times, father of the country, to the magistrates, council and people of the *Koroneoi*, greetings. The things which you seem to me to have established(?) from the beginning ...

43.12. EB 1.12 and addenda, p. 22.; *Roesch 1985 E.85.11;

Oliver 1989, 268 (no number); SEG 35.405B; Fossey 1981/82 no. 12; IG 7.2882.

```
••• νῦν ἐπέστειλ[α - - - -
••Ν γενέσθι καὶ ταῦ[τα - - -
καὶ τῆ Κορωνέων ΕΔΗ[ - - -
••ΕΘΕΙ ταῦτα πενπο[μεν - - -
••• φανερὰ καὶ ΣΑΦ[ - - -
••• τῷ ψ[ηφίματι? - - -
```

43.13. *EB 1.13; Roesch 1985 E.85.12; SEG 32.471; Fossey 1981/82 no. 13.

```
----- ]Α πόλει [ ---
----- ]Ν δὲ οὐ ΚΕ[ ---
```

```
---- ]Σ οὕτως ΕΣ[ ---
-- ἀνα]θῆναι καὶ τοῦ [ ---
-----]Η εἰσίη τὼν ὑπο [ ---
-----]ΥΒΟΥ καὶ φιλῷ [ --

43.14. SEG 35.405C; EB 1.14; *Roesch 1985 E.85.13.
[ -------] ΧΕΣΣΘΑ[Ι] ΙΣΩ[ ------]
[ --------] δοκιμάζων[ται --------]
[ -----------] ἐπρέσβευον [ --- οἷς τὸ ἐφόδιον δοθήτω]
[εἰ μὴ προῖκα ὑπέσχη]νται. Εὐτυχε[ίτε. ------------]
```

44. Boundary Dispute between Delphi and Ambryssos

Date(s): uncertain date prior to early 2d century

This **boundary dispute**, judged by an individual named Cassius Longinus,³³⁷ is known only through a brief reference in a decision rendered in a later case (Text 39.1 and Text 39.2).³³⁸ This dispute may be classified as boundary-related on the grounds that a surveyor was required to create a *determinatio* in order to implement Longinus' verdict ([--- decr]etum).

45. Boundary Dispute Involving Ardea

Date(s): AD 138-161

The *corpus agrimensorum* provides the only testimony for a boundary marker recording a settlement in a **boundary dispute** (*sententia dicta*), effected by an otherwise unknown *primus pilus* during the reign of Antoninus Pius. The marker calls itself a "boundary marker of the *Ardeatini*," by which is presumably meant the city of *Ardea* in Italy, south of Rome. The document appears in the corpus without commentary as an example of an inscribed boundary marker. It has generally been accepted as genuine.

45.1. *Campbell 2000, 246.33-48; CIL 10, 676.

Ex aucto/ritate imp(era)t(oris) / Aeli Hadr/ani Anto/nini Aug(usti) /⁵ Pii p(atris) p(atriae) sente(n)/tia dicta p(er) / Tusceniu(m) / Felicem / p(rimum) p(ilum) II deter/¹⁰minante / Blesio Tau/rino mil(ite) / coh(ortis) VI pr(aetoriae) / mesore a/¹⁵grario. T(e)r(minus?) Ardeat(i)n(orum).

³³⁷ His identity is debated. See the Prosopographic Index.

³³⁸ See Instance 39 for a complete discussion and references.

By the authority of the emperor Aelius Hadrianus **Antoninus Augustus Pius**, father of the country, verdict rendered by Tuscenius Felix, *primus pilus* (for the second time), with Blesius Taurinus, soldier of Praetorian Cohors 6, land surveyor, carrying out the survey. Boundary marker of the *Ardeatini*.

46. An Official Demarcation of the Territorial Boundaries of *Musti*

Date(s): AD 138-161

Two identical boundary markers from the area of *Musti* (mod. Henchir-Mest in Tunisia) commemorate the resolution of a **boundary dispute** sometime during the reign of Antoninus Pius. The markers derive their legal authority from the emperor (*ex auctoritate*) and stem from his legal decision (*ex sententia*).

The unique phrase *determinatio facta publica* (a public boundary determination has been made) ties the markers to a specific legal investigation and description of *Musti's* boundaries that would have been recorded in a legal document to ensure its lasting validity and accessibility. The explicitness of this relationship between legal document and boundary marker would have facilitated future verification of the markers and their locations (if fraud or repositioning was suspected) in the very manner described by the agrimensores.³³⁹

The emphasis on a *determinatio*, and the use of *cippi* (i.e., boundary markers) to carry it, indicates that the case focused at least in part on boundaries. It is therefore likely that Pius' verdict consisted primarily in delegating authority for resolution of the dispute, as well as survey and description of the boundaries, to an appropriate official in the province. In other cases, this official is often indicated on the boundary marker. Here, we would be expected to have recourse to a public copy of the *determinatio* to learn such details. It may well be that the *Mustitani* petitioned the emperor for assistance in dealing with encroachments on their territory by other communities or extra-civic *latifundia*, and the emperor responded by ordering a survey and the creation of a legally valid, public boundary description, accompanied by the placement of corresponding boundary markers. We can assume that this process would have taken into account any available earlier markers, maps, documents and testimony. That a public *determinatio* was explicitly required implies that pre-existing documentation had been inadequate to prevent problems or resolve disputes. It is a pity that the text of the emperor's legal decision,

³³⁹ Campbell 2000, 32.30-34.35.

³⁴⁰ The present inscriptions were discovered along the ridgeline of the Djebel Bou Khil to the south of *Musti*. Two imperial estates, one to the northeast and one to the southeast, probably bordered *Musti's territorium*, with the *Fossa Regia* providing an eastern border. Summary and citations: Beschaouch 1968, 135-137, with sketch map.

together with the text of the *determinatio* itself and other related documents, have not come down to us. That such an inscribed dossier once existed seems likely, given examples from *Delphi*, *Istria* and *Coronea*.³⁴¹

46.1. *EDH HD011851; CIL 8.27459; AE 1895.27; Carton 1895, 62.

ex auctoritate et senten/tia / Imp(eratoris) Caesaris T(iti) Aeli Anto/nini Aug(usti) Pii determina/tio facta publica Mustita/⁵norum

By the authority and according to the decision of the emperor Caesar Titus Aelius **Antoninus Augustus Pius**. The *determinatio* of the *Mustitani* was made public.³⁴²

46.2. *EDH HD024385; ILT 1560; AE 1929.71.

[ex auctoritate] / [et sententia] Imp(eratoris) / Antonini Aug(usti) Pii determina/tio [fac]ta publi/ca M[us]titanorum

See Text 46.1.

47. Boundary Dispute Involving the Pastureland of the *Phyle Rodopeis* at *Philippopolis*

Burton 2000, no. 26

Date(s): AD 155

This text records the establishment of boundary markers by an otherwise unknown individual (Flauios Skeles) who was appointed as judge and boundary-setter (κριτής καὶ ὁροθέτης) by the provincial governor of Thrace. The area demarcated appears to have been a pasturage located within the territory of *Philippopolis* (mod. Plovdiv in Bulgaria). It is not clear what other properties or areas it was separated from by virtue of this demarcation. Skeles' titulature permits us to identify this case a dispute, but we only know the identity of one of the parties.

The $φυλ\dot{\eta}$ 'Poδοπηΐς was one of the imperial-era tribal divisions within the territory of Philippopolis. Such φυλαί are attested in nine Thracian cities, none before the second century AD. They are thought to have replaced an earlier system of organization that the Romans had maintained. The change may have occurred under Trajan.³⁴³

³⁴¹ Instances 39, 16 and 43.

³⁴² R. Talbert suggests an alternate translation for *determinatio facta publica*: "the *determinatio* was made in the public interest."

³⁴³ Tačeva 1992.

47.1. *IGBulg 3.1401; Robert 1938, 223-226; IGR 1.709 (defective text); AE 1895.104.

ἀγαθῆι τύ[χηι]. / ἐπὶ Αὐτοκράτορος Τ(ίτου) Αἰλίου 'Αδρι/ανοῦ 'Αντωνείνου Καίσαρος Σεβ(αστοῦ) / Εὐσεβοῦς, ἡγεμονύοντος τῆς / Θρακῶν ἐπαρχείας Γ(αίου) 'Ιουλίου / Κομ<μ>όδου πρεσβ(ευτοῦ) Σεβ(αστοῦ) ἀντιστρα/τήγου, ὅροι χορτοκοπίων φυλῆς / 'Ροδοπηΐδος τεθέντες ὑπὸ Φλ(αυίου) / Σκελητος κριτοῦ καὶ ὁροθέτου.

Good fortune! When the emperor Titus Aelius Hadrianus **Antoninus Caesar Augustus Pius** (reigned), and when Gaios Ioulios Kommodos, propraetorian imperial legate, governed the province of the *Thrakoi*, the boundaries of the pasture(?) of the *Phyle Rodopeis* were established by Flauios Skeles, judge and boundary-setter.

48. Restoration of a Boundary Marker at Smilec

Burton 2000, no. 22

Date(s): AD 161-164?

This cippus was found at Smilec in the area of *Durostorum* (mod. Silistra in Bulgaria) in 1965. The text explains the marker: it was placed by a centurion, on the order of the governor (whose term of service provides the date), in accordance with earlier verdicts (*secundum senten[t]ias pr[ae]ceden[tes?---*). This instance therefore qualifies as a boundary restoration. The **boundary disputes** implied by the mention of earlier verdicts are otherwise unattested, as is the placename *locus Subiati*.

48.1. *EDH HD012295; AE 1969/70.567; Velkov 1970, 55-58.

Iul(ius) Ferox p(rimus) p(ilus) leg(ionis) / XI Cl(audiae) iussu v(iri) c(larissimi) Ser/vili Fabiani co(n)s(ularis) n(ostri) / terminum posui / in locum Subiati / secundum senten/[t] ias pr[ae]ceden/[tes? - - - - - -

I, Iulius Ferox, *primus pilus* of *Legio 11 Claudia*, by order of *vir clarissimus* Servilius Fabianus our *consularis*, placed the boundary marker in the *locus Subiati*, according to prior verdicts ...

49. An Altar to Hercules

Burton 2000, no. 20

Date(s): AD 179

An inscribed altar from the area of *Salona* (mod. Solin in Croatia) may bear a special type of witness – that of the losing party³⁴⁴ – to the resolution of a **boundary dispute** by the otherwise unknown Aur[elius] (or Auf[idius]) Gallus, governor of *Dalmatia* in AD 179.

As I see it, this private dedication records a former centurion's grim satisfaction upon completing the clearing of a blocked right-of-way that split his holdings. The use of the term *limes*, combined with a requirement to keep said boundaries clear, indicates that the land in question must have qualified as *ager divisus et assignatus* (divided and allocated land). This legal requirement is most clearly explained in the *de condicionibus agrorum* of Siculus Flaccus:

It is right that *limites*, as I said above, should always be passable for rights of way and for conducting surveys. ... In some regions when the *limites* encroach on actual farm buildings, the owners of the farm buildings construct gates, install doors, and position slaves beside them with the task of allowing people a passage through, since a serviceable right of way ought to be maintained for the people. Now, a right of way is granted by landholders on the understanding that they may occupy the *limites*, but on this condition, namely, if farm buildings have been situated on *limites*, that is, *limites* on which they encroach, the owners must provide a right of way for the people through their land, provided that the route is no more difficult than that through the farm buildings ... I do not think that anyone should take over a *limes* for cultivation, on the grounds that he prefers to offer a right of way through a field.

Valens therefore owned property that had previously been divided and distributed in accordance with Roman colonial procedure, probably to discharged military veterans such as himself. That Valens considered the governor's decision a heavy task is perhaps indicated by his choice of Hercules as the object of his dedication. The use of the unparelleled phrase *ob decr(etum)* for the more common *ex decreto* nonetheless clearly indicates that the governor's mandate was delivered as a verdict in a case heard according to the *cognitio* procedure. ³⁴⁶ It

³⁴⁴ Fergus Millar, among many others, has remarked that "the fact of a text's having been inscribed was itself a function of its having been of interest or advantage to a particular individual or group" (Millar 1992, 644). In general, the losing party in a lawsuit would have been unlikely to widely publicize the documents associated with it.

³⁴⁵ qui tamen, ut supra diximus, semper [in] itineribus <et> mensuris agendis peruii oportet ut sint. ... quibusdam regionibus, cum in ipsis incidant uillis, portas domini uillarum faciunt ianuasque inponunt et seruos huic negotio ad transmittendum populum applicant, quoniam utilissimum iter populo seruari debeat. datur autem uia a possessoribus, ut limites occurrent; hac tamen condicione, ut si <u>iillae in limitibus positae sint, id est limites in quibus incidunt, <red>dant per agros suos iter populo, dum non deterius quam per <u>iillas transeant. sed quaedam ita positae sunt, ut quantumcumque de limite deflectere uelint, incommodum iter patiantur: ita necessario per ipsas transeunt uillas. limitem autem non puto quemquam occupare debere colendo, ut per agrum iter reddere mallet: alioquin deflexus illi, qui de limite detorquentur, multo maiorem occupant modum (Campbell 2000, 124 l. 28 - 126 l. 5; translation is Campbell's).

³⁴⁶ *ob decr(etum)* is Wilkes' reading and supplement, improving upon *ob dec(essionem)* as printed at CIL 3.8663, the source of much confusion for scholars who overlook Wilkes' edition, which was informed by direct autopsy of the inscription (e.g., Burton 2000 no. 20 and Campbell 2000, 459 who both have

seems likely that another landowner, or perhaps the community that had territorial jurisdiction over the allocated area, brought a case against Valens in which they alleged his failure to keep the standard right-of-way clear across his holdings. The governor ruled in the plaintiff's favor, requiring Valens to undertake the clearing of the *limes*. It is not clear whether the path of the *limes* itself was at issue as well, for Valens was memorializing his compliance with the verdict, not the details of the case. If he had argued that the line of the *limes* followed a different (unblocked) route than that alleged by the plaintiff, or that he had already provided an adequate alternate route in the manner described by Siculus Flaccus, he must have failed to prove it.

If this interpretation of the text is correct, then it provides a precious glimpse into the potential range of attitudes and responses of those who lost cases involving boundary disputes during the Roman empire.

49.1. *Wilkes 1974, 265 no. 16; CIL 3.14239/4; CIL 3.3157; CIL 3.8663.

Her(culi) Aug(usto) [sac](rum) / Val(erius) Val(ens) v[et(eranus)] / ex (centurione) limite[m] / pub(licum) prae/clus(um) ob /5 decr(etum) Auf(idi?) / Gall(i) leg(ati) / suo inp(endio) / aperuit / im(peratore) Com(m)o[do II] /10 et Mar[tio] / Vero [II] / co(n)s(ulibus) VI [Kal(endas)] / Ma[i(as)]

Sacred to Hercules Augustus. Valerius Valens, veteran and former centurion, in accordance with the verdict of Aur[elius?] Gallus, legate – and at his own expense – cleared the public *limes* that had been blocked. (Dated:) when the emperor **Commodus** and Martius **Verus** were consuls for the second time, 6 days before the kalends of May.

50. Possible Boundary Dispute between Valeria Faventina and the *Compagani rivi* Larensis

Burton 2000, no. 83

Date(s): AD 193

This fragmentary verdict (*decretum ex tilia recitavit*) is known to scholars only through a 16th-century copy. It attests to a **possible boundary dispute** between a private individual and a group of villagers (*compagani*).

This verdict can be dated on the basis of the governor's career to the late second century. The location of the village in question and the stream named to identify it remain unknown to us. The woman against whom the villagers' dispute was conducted – or another member of her family – is known from other epigraphic evidence found in the area of Tarragona and Barcelona.³⁴⁷

written that the closing of the *limes* must have had something to do with "the departure or death of the governor.").

³⁴⁷ See RIT, 78 for details.

Although the transmitted portion of the text does not explicitly identify the case as a boundary dispute, its similarity to the evidence for a nearly contemporaenous dispute between Messia Pudentilla and the inhabitants of the Vicus Buteridavensis in Moesia has led most modern commentators to assume that this Spanish case too was a boundary dispute. 348

*RIT 143; Ors 1953, 361-365 no. 15; CIL 2.4125. 349 50.1.

Imp(eratore) Caes(are) P(ublio) Helvio / Pertinace princip(e) / senatus patre patriae / Q(uinto) Sosio Falcone C(aio) Iulio Eruci/o Claro co(n)s(ulibus) III Idus Febr(uarias) /⁵ sententiam quam tulit / L(ucius) Novius Rufus / leg(atus) Aug(usti) pr(o) / pr(aetore) v(ir) c(larissimus) inter compaganos ri/vi Larensis et Val(eriam) Faventinam /10 descriptam et propositam pr(idie) Non(as) / Novembr(es) in v(erba) i(nfra) s(cripta) Rufus leg(atus) c(um) c(onsilio) c(ollocutus) / decretum ex tilia recitavit / congruens est intentio mea qua / [3]tus proximae argumentis /15 [3] parte prolatis rei / [3] aput me actu[m] est d/[3 i]nspectio itaq[ue] / [3 q]ui in priva[3] / [3]a mox [3] /20 [---

When Caesar Publius Helvius Pertinax (was) emperor, princeps senatus and father of the country, and when Quintus Sosius Falco and Iulius Erucius Clarus were consuls, 3 days after the Ides of February, Lucius Novius Rufus, propraetorian imperial legate and vir clarissimus, delivered the verdict (in the case) between the villagers at the rivus Larensis and Valeria Faventina which was copied and posted on the day before the Nones of November in the words written below:

Rufus the legate, when he had called together his consilium, read out the decree from the tablet (*tilia*): It is appropriate that ...

51. Messia Pudentilla and the Vicani Buteridavenses

Burton 2000, no. 84

Date(s): AD 98-102

Two inscribed boundary markers found in the vicinity of mod. Sariurt in Romania were placed "by order, and in accordance with the verdict (ex decreto) of" the legate of Moesia, thereby attesting to a **boundary dispute** between an otherwise unknown private individual and an

³⁴⁸ Instance 51.

³⁴⁹ Scholars are not in agreement as to how to supplement the lacunae in this text, which, in any case, breaks off before much of the detail in the case can be presented. The disagreements begin at line 14 with whether to take *intentio* as equivalent to *sententia* (i.e., = "the verdict"), and then whether *qua* ought to be corrected to quam or mea corrected to ea. Opinions diverge from there. In critiquing Mommsen's relatively conservative approach to the text (CIL 2.4125) and constructing his own more aggressive supplements, Ors 1953, 361-365 no. 15 presents both editions with much discussion. Alföldy (RIT 143) takes an agnostic approach, presenting both editions alongside his own unsupplemented one without much comment. Because of this lack of consensus, I have not ventured to produce a translation beyond the point at which opinions diverge.

otherwise unknown community. Placement of the boundary markers was delegated to a military official (in this case, a *praefectus classis*). ³⁵⁰

51.1. *EDH HD018879; ISCM 1 359; AE 1919.14; CIL 3.14447. See also: AE 1956.206.

[I]ussu et ex dec[ret]/o v(iri) c(larissimi) Ovini Ter[tul]/li co(n)s(ularis) termini / positi inter [M]es/siam Pud[entil]/°lam [et] vicano[s] / But[e]ridave[n]/ses per Vind(i)/u[m Verian]um pr/[aef(ectum) cl(assis)]

By the order and according to the verdict of Ovinius Tertullus, *vir clarissimus* and *consularis*, boundary markers placed between (the property of) Messia Pudentilla and the *Vicani Buteridavenses* through Vindius Verianus, *praefectus classis*.

51.2. *ISCM 1 360; AE 1919.14.

[I]ussu et ex de/[c]reto v(iri) c(larissimi) Ovini / [T]ertulli co(n)s(ularis) ter/[mini] positi inter / [M]essiam Pude[n]/⁵[til]lam et vicano[s] / [Bu]teridavenses / [per] Vindium Ve/[r]ianum praef(ectum) / cl(assis)

See Text 51.1.

52. Boundary markers of the fields of the Bendiparoi

Burton 2000, no. 28

Date(s): AD 211-212

Three Greek markers found near *Philippopolis* (mod. Plovdiv in Bulgaria) attest to a single **boundary dispute** involving the agricultural land (ἀγροί) of an otherwise unattested people or group called the *Bendiparoi*. The boundary markers were placed by the provincial governor through the agency of another individual "in accordance with the divine verdict" (κατὰ θείαν ἀπόφασιν, i.e., a decision of an emperor).

52.1. *SEG 29.681; AE 1979.552.

κατὰ / θείαν / ἀπόφα/σιν τε/θέντες /⁵ ὑπὸ Κ(οΐντου) 'Α/τρίου Κλο/νίου πρε/σβ(ευτοῦ) Σεββ(αστῶν) / ἀντιστρ(ατήγου) /¹⁰ διὰ Μουκί/ου Οὐήρου / ὅροι / ἀγροῦ Βεν/διπαρων

According to the divine verdict, boundary markers of the fields of the *Bendiparoi* placed by Kointos Atrios Clonios, propraetorian legate of the two emperors, through Moukios Oueros.

³⁵⁰ This is the only instance of which I am aware in which a *praefectus classis* places boundary markers. Other types of military personnel are well represented in this role. The document is far to terse to permit us to speculate as to whether the choice of a fleet commander is related to the property in question or whether he was just an available, or especially competent, subordinate of the proconsul.

52.2. IGBulg 3.1472. See also: IGBulg 3 Addenda no. 1900.

[κατὰ θεῖαν ἀπόφα]/σιν τεθέν[τες ὑπὸ Κ(οΐντου) ᾿Ατρί]/ου Κλονίου [πρεσβ(ευτοῦ) Σ εβ(αστῶν)] / ἀντιστρ(ατήγσυ) διὰ Μ[ουκίου] / Οὐήρου ὅροι /⁵ ἀγροῦ Βενδιπαρω[ν].

See Text 52.1.

52.3. IGBulg **3.1455**. See also: IGBulg **3** Addenda no. 1900.

κατὰ θεῖαν / ἀπόφασιν τε/θέντες ὑπὸ Κ(οΐντου) / Ἀτρίου Κλονί/ου πρεσβ(ευτοῦ) Σεββ(αστῶν) Σεβαστῶν /⁵ ἀντιστρ(ατήγου) διὰ / Μουκίου Οὐή/ρου ὅροι ἀγροῦ Βενδι/παρων.

See Text 52.1.

53. Dispute in vicinity of *Calama*

Burton 2000, no. 53

Date(s): AD 211-222

This fragmentary inscription from the area of *Calama* (mod. Guelma in Algeria) may attest to a **boundary dispute** (*consensum utrarumque partium*) during the reign of Caracalla or Elagabalus. The proconsul handles the case. The phrase *ex sacro praecepto domini nostri* may imply that it was delegated to him by the emperor, or that he was acting in accordance with *mandata* that sanctioned or encouraged governors to see to the resolution of inter-civic boundary disputes.

53.1. *ILAIg 1.467; CIL 8.17521; CIL 8.4845.

[-----]NO / N[--- ex] / sacro prae/cepto d(omini) n(ostri) / Antonini Pii / 5 Felicis Aug(usti) / et consensum / utrarumque / partium decer/nente Claudio / 10 Iuliano proco(n)s(ule) / c(larissimo) v(iro)

... according to the sacred command of our lord Antoninus Pius Felix Augustus [Caracalla or Elagabalus] and with the agreement of both parties, Claudius Julianus, proconsul, *clarissimus vir*, deciding.

54. Boundary Dispute between the *Tiktaenoi* and the *Sporenoi*

Burton 2000, no. 42

Date(s): AD 253-260?

A boundary marker found at modern Girey Pazari³⁵¹ in Turkey³⁵² provides evidence for a **boundary dispute** between two communities hitherto unlocatable, and may be dated to the latter part of the third century.

Neither of the Roman officials mentioned can be securely identified. The date is provided by the mention of multiple emperors and by other evidence for the creation of the short-lived province of *Phrygia et Caria*, ca. AD 250-260.³⁵³ Because Iulius Iulianus, the procurator mentioned in the inscription, is said to govern "the Phrygian and Carian parts (of *Asia*)," we assume this inscription dates to shortly before its constitution as a separate province. The *Sebastoi* are therefore probably Valerian and Mareades who, in any case, do not seem to have had any personal involvement in this case. They are only mentioned as part of Iulianus' titulature. We deduce a boundary dispute at the root of this demarcation by virtue of Dionysios' emphasis on a personal inspection of the *topoi*. Iulianus' directive to Dionysios (κατὰ τὴν κέλευσιν) would then seem to indicate not simply an order to emplace boundaries, but the delegation of judicial responsibility for resolving the boundary dispute. Dionysios was therefore acting as a *iudex datus* of a procuratorial (virtual) governor of the (virtual) province.

54.1. French 1991, 57 s.v. "KÜTAHYA"; AE 1982.896; SEG 32.1287; *Christol 1982. See also: SEG 41.1238.

Εἰού(λιος) Διονύσιος / ἀπὸ χιλιαρχιῶ/ν, κατὰ τὴν κέλευ/σιν τοῦ κρατίστου ἐπιτρόπου τῶν Σε/βαστῶν Εἰουλ(ίου) Εἰου/⁵λιανοῦ διέποντος / κὲ τὰ τῆς ἡγειμονίας / μέρη Φρυγίας τε κὲ Καρίας, / γενόμενος ἐπὶ τῶν τό/πων κὲ τὴν ἀκριβίαν ἐξσε/¹⁰πάσας ὡροθέτησα, / παρόντος κὲ γεομέ/τρου Αἰλιανοῦ Ἐαρινο[ῦ]· ὅρος Τικταηνῶν κὲ Σπο/ρηνῶν.

Eioulios Dionysios, *a militiis*(?),³⁵⁴ according to the order of the most excellent imperial procurator Eioulios Eioulianos who manages the Phrygian and Carian parts of the province, having gone to the places and examined the details, established the boundary, accompanied by the surveyor Ailianos Earinos. Boundary marker of the *Tiktaenoi* and *Sporenoi*.

³⁵¹ Near the village of Karadiğin, now Akdiğin, in the district of Kütahya

³⁵² French 1991, 57 s.v. "KÜTAHYA" contra Christol 1982, 24.

³⁵³ Christol 1982, 34-42 with detailed notes and references.

³⁵⁴ Burton 2000 no. 42 would translate *tribunus militum*. See Christol 1982 for discussion.

55. Boundary Dispute between Salvia and Stridon

Date(s): AD 270-287

A suspect third-century inscription from mod. Bosnia Hercegovina, known only from an early nineteenth century notebook copy, purports to document a verdict in a **boundary dispute**, delivered by an unknown *iudex datus* who had been appointed by Constantius I during the latter's service as *praeses provinciae Delmaticae*.

The boundary demarcated is said to have separated the territories of *Salvia* (mod. Halapić) and *Stridon* (an as-yet-unlocated settlement in *Dalmatia*). The unusually late date, the name Valerius for Constantius, the reference to *Stridon* (birthplace of St. Jerome) and the fact that O. Hirschfeld was unable to locate the original notes or the inscription when he was editing the text for CIL, have led many scholars to doubt the authenticity of the text.³⁵⁵

A second, very fragmentary inscription (Text 55.2), found at *Salona* (mod. Solin in Croatia)³⁵⁶ in the late nineteenth century and now also lost, may have duplicated the same text.

55.1. Wilkes 1974, 267-268 no. 24; *CIL 3.9860.

----/ iu[d]ex [d]a[t]us a [F]la/vio Va[ler]io Cons/[t]a[nt]io [v(iro) c(larissimo)] p(raeside) p(rovinicae) [D]elm(atiae) / [f]i[ne]s i[nt]e[r] Salv/ 5 ia[t]as e[t] S[tr]ido[n]e[n]ses [d]e[t]e[r]m/inavi[t].

... iudex datus by Flavius Valerius Constantius, vir clarissimus, praeses of the provincia Delmatia, established the boundaries between the Salviatae and the Stridonenses.

55.2. *Wilkes 1974, 264-265 no. 15; CIL 3.8716a.

--- iu]de[x ---] / [--- Cons]tantio V[---] / [---]DEA[---

56. Possible Boundary Dispute between the *Thabborenses* and the *Thimisuenses*

Date(s): uncertain date

A single boundary marker from the area of *Thimisua* (mod. Sidi-Bou-Argoub in Tunisia) records a demarcation, effected by a centurion, between the *Thimisuenses* and the people of *Thabbora* (mod. Henchir-Tambra). The boundary marker was placed in accordance with a map: posit[us secun]dum formam. It would appear that the word formam was modified by a trailing

³⁵⁵ Wilkes 1974, 267-268 no. 24 provides a detailed discussion of the modern pedigree.

³⁵⁶ A considerable distance from the reported findspot of Text 55.1, but it is unclear whether either inscription was found *in situ*.

adjective, of which a partial stem and the inflected ending is all that remains: *formam* [- ca. 3 -]*tianam*. Mommsen supplemented [Mar]tianam, but offered no justification. It is reasonable to assume that, whatever the missing characters, the adjective in question corresponded to the name of the person under whose responsibility in the map was prepared.³⁵⁷ The consultation of a map probably marks this demarcation as a restoration or a dispute as well, if the map was an earlier one. Pre-existing *formae* are consulted in six other instances.³⁵⁸ No instances list contemporaneous *formae*.

56.1. EDH HD022250; *CIL 8.23910; AE 1898.42.³⁵⁹

[--- termi]/nus posit[us secun]/dum formam [Mar?]/tianam per P(ublium) [.]e[.]lium Se[--]/minum (centurionem) coh(ortis) XIII urb(anae). Inter /5 Thabborenses et Themisu[enses].

Boundary marker placed, according to the map of Martianus(?), through Publius Aelius(?) Se[---]minus, centurion of *Cohors Urbana XIII* between the *Thabborenses* and the *Thimisuenses*.

57. Fragmentary Verdict involving *Thyateira*

Burton 2000, no. 41

Date(s): uncertain date

This poorly preserved verdict is almost certainly related to a **boundary dispute**, given the inclusion of a *determinatio* at the end of the preserved portion of the document.

In view of the fragmentary state of this text, it is difficult to produce a coherent translation. It is clear that the text mentions a *controversia*, that "the cases of both parties had been heard," and that an order of some kind had been given relating to a boundary. The emperor is mentioned, as are a decree and "royal constitutions of an earlier time" (*prioris temporis regiis constitutionibus*) which "contained measurements" (*continebant mensuras*) and may have been produced by the Thyateirans. What appears to be a description of the boundary (a *determinatio*, although this word is not used) closes out the surviving portion of the text. Though we cannot produce a complete text or coherent translation, it seems reasonable to see here a boundary dispute between *Thyateira*

³⁵⁷ Compare Instance 31 where an imperial legate in Dalmatia restored something "according to Dolabella's map:" [s]ecundum formam Dolabellianam.

³⁵⁸ Instances 22, 67, 87, 16, 31 and 66.

³⁵⁹ The EDH text derives from AE and is defective, failing to take account of the much-improved version published in CIL. The CIL version, which relies on autopsies by Merlin and Cagnat, and a squeeze, is essential, and so I have used it here.

and some other party that was heard by some official (a governor?) during the imperial period. It would appear that the Thyateirans introduced as evidence or precedent a ruling or decree by a Hellenistic(?) ruler that included survey measurements of the land in question.

57.1. *EDH HD028926; AE 1911.134; Keil 1911, 15.18; TAM 5.2.859.

58. Boundary Dispute between Ortopla and Parentium

Date(s): uncertain date

This rupestral boundary marker, cut into a natural limestone cliff in the eastern range of the Velebit mountains in Croatia, attests to a **boundary dispute** between the settlements of *Ortopla* (mod. Stinica in Croatia) and *Parentium* (mod. Poreč). The dispute was resolved through negotiation. No mention is made of involvement by any Roman official. This marker also indicates that there was a legal right-of-way granted to the *Ortoplini* for access to a water source located within the territory of *Parentium*. It may be that this water source was at least a partial cause of the dispute.

58.1. Wilkes 1974, 258-259 no. 2; ILS 5953b; CIL 3.15053. See also: AE 1980.498.

Ex conventione finis / inter Ortoplinos et Pare/ntinos aditus ad aquam / vivam Ortoplinis passus / D latus I

By agreement. Boundary between the *Ortoplini* and the *Parentini*. Access to the spring for the *Ortoplini*: 500 paces (long) and 1 wide.

59. Unpublished Marker from *Dalmatia*

Date(s): uncertain date

Wilkes repeats notice of an unpublished rupestral inscription at mod. Gacko in Bosnia-Hercegovina. It is thought to relate to a "boundary settlement" and so may represent a **boundary dispute**. I have not had access to the text.

59.1. Wilkes 1974, 267 no. 22.

60. Dispute over Site, Ownership and Boundaries between *Ostia* and Volussius Crocus

Date(s): uncertain date

This poorly preserved text appears to record a verdict (*sententia*) and *determinatio* issued by a *iudex* (whose name has not survived) in a complicated **dispute about site** ($loco\ q(uo)\ d(e)$ a(gitur)). This dispute evidently arose from a voided inheritance and also incorporated disagreements about boundaries and about ownership.³⁶⁰

This inscription – badly damaged and first published only in the 1980s –almost certainly originated somewhere in *Latium*, but its exact provenance is unknown. The block was found in a courtyard of a modern house in *Nettuno* and is thought to have been brought there by an unknown, modern collector from the area of *Ostia* or *Antium*. Text covered parts of at least three sides of the block, but the third side is so badly damaged as to be of no interpretative consequence.

The surviving portion of the first side's text picks up *in medias res* with a *determinatio* prefaced by references to a will (*ex testa[men]to*) and to the verdict of the judge (*[ex? sente]ntia iudicis*). The *determinatio* appears to have continued onto the second side, where it was followed, after a lacuna, by a narrative statement that includes a verb in the first person. In this portion of the text, the positions of both parties to the dispute are described. This would seem to indicate that this section constitutes a portion of the judge's verdict. It emerges that the dispute concerned a piece of property that had been left in a will to an otherwise unknown individual named Livius Primus. This property was claimed both by the city of *Ostia* and by an otherwise unknown individual named Volussius Crocus. *Ostia* seems to have argued that Primus' portion of the inheritance had been declared *bona caduca*, i.e., an invalid inheritance and therefore the property ought to fall to the city. Crocus claimed to have received the right to the property from the *res publica* (of *Ostia*) six and a half years before, and to have occupied it ever since.

³⁶⁰ My presentation and discussion of this document rely heavily on the edition and analysis of Jacques 1987.

³⁶¹ There seem to have been multiple heirs: *in bonis caduci[s par]/tis Livi Primi.*, i.e. he was *heres ex parte*.

³⁶² Why the inheritance was invalid in this case is not indicated, although we may assume that Primus lacked the requisite number of children *vel sim*. As Jacques points out in his edition and commentary, it is also surprising that a city should be able to claim *bona caduca*. These are generally thought to have fallen

The *determinatio* that precedes the extant portion of the verdict makes it clear that the case also involved disagreements over the boundaries of the property in question, and that Crocus owned property adjoining the disputed locus. In this regard the case is broadly similar to a dispute between the city of *Daulis* and a private individual. ³⁶³ In that case, the problematic property had been purchased from some heirs and was located adjacent to properties owned by the city. It is not clear whether said civic land had been acquired through a similar process of voided inheritance or by some other means. In both cases, it would appear that the wills and purchase agreements contained insufficient information to define the boundaries precisely. This vagueness was presumably echoed by conditions on the ground, a state of affairs that must have contributed significantly to each dispute. In the Italian case, the judge seems to have been able to establish the boundary on the basis of some kind of evidence. Not enough of the text survives for us to be certain about the evidence employed, but it would appear that the property had been delimited in some way previously that was at least partially recoverable. In the Greek case, the judge's verdict mandated a subsequent survey of the regions in question and an allocation of the requisite area beginning from a point of the winner's choosing, a clear indication that the property in question had never been properly surveyed and delimited, or that too little evidence of such survived to be of any legal utility.

60.1. *EDH HD008964; AE 1987.391; Jacques 1987.

to the *aerarium* (if in Italy) or the *fiscus* (if in the provinces). This situation would seem to indicate that *Ostia* had acquired a right to retain such wealth when the case involved Ostian citizens, a right previously known only to have belonged to *Nicea* (Plin. Ep. 10.84). We must therefore assume that Primus at least was a citizen of *Ostia*. Jacques also notes that this is first occurrence of the phrase *bona caduca* in an epigraphic document.

³⁶³ Instance 42.

(Side a:)

(an unknown number of lines have been lost)

... according to the will ... (that the *caduca*?) claimed (according to?) the verdict of the judge (the boundary ...?) at the broken stone bends rightward toward the lake which appears (to belong to?) Volussius Crocus, thence in a straight line it runs to the marshy hollow(?) which without dispute belongs to the ownership (*possessio*) of Volussius Crocus, thence from that hollow(?) it runs to another old stone which ...

(Side b:)

(three or more lines are missing)

(so that?) ... the *rigor* should interrupt Crocus' road between none of the stones or markers, (the *rigor*) having been defined by which it departs from the property. On the one hand, I investigated for some time the authority for the right of ownership and it was alleged by Volussius Crocus himself that it had been acquired from the *res publica* six and a half years before. On the other hand, concerning the *locus* at issue in this case, the *res publica* of the *Ostienses* has contended without intermission that in the *bona caduca* share of Livius Primus ...

(The text of Side c is wholly unrecoverable).

The Restoration of Property

61. Multiple Authoritative Demarcations Involving the Sacred Land of Artemis at *Ephesus*

Burton 2000, nos. 34, 35, 36, 37 and 39

Date(s): prior to 23 BC; 6/5 BC; AD 84-88; AD 110-112

A growing number of boundary markers and other epigraphic texts from the area of *Ephesus* (mod. Selçuk in Turkey) provides evidence for at least four major **authoritative demarcations** there, carried out under the emperors Augustus, Domitian and Trajan. None of them can be shown definitively to have originated in disputes. The Augustan projects should be seen as part of a much larger effort aimed at restoring the properties and prestige of Artemis' famed temple (and her city), which had evidently suffered significant diminution during the Roman civil wars at the hands of successive, cash-hungry eastern commanders. Efforts to disambiguate both the ownership and extent of landed properties, roads and watercourses may imply that disputes occurred during these processes and thus required settlement, but none is explicitly documented. Domitian's project, which on present evidence dealt only with agricultural property, took at least four years to complete under the supervision of each proconsul in succession. It has recently been connected to the establishment at *Ephesus* of a perpetual gymnasiarch and an associated massive building project in the city center. A motivation for the Trajanic demarcation, which also addressed agricultural land, remains to be developed.

The eleven boundary markers associated with authoritative imperial demarcations of agricultural land³⁶⁴ can be taken together with other finds³⁶⁵ to demonstrate that, during the principate at least, the cult of Artemis benefited from income on at least three large areas of "sacred land."³⁶⁶ The assumption of most scholars working on this material is that these lands

³⁶⁴ Texts 61.1 - 61.3 and 61.9 - 61.16.

³⁶⁵ Three undatable boundary markers bearing the text ὅρος ἱεροῦ ἀρτέμιδος (IEph 3503 = Knibbe 1979, 141.3; IEph 3504; IEph 3505).

³⁶⁶ The following discussion summarizes the essential work on this subject to date: Knibbe 1979, Knibbe 1989, 223-226, Scherrer 1990, Alföldy 1991, Engelmann 1993, Içten 1998, 83.1, Engelmann 1998, 308-309 and Engelmann 1999, 143-146.4.

formed large, integral blocks; however, this is largely just an assumption. It is quite possible that the temple holdings were intermixed with other properties.³⁶⁷

The first area probably extended from the immediate environs of the temple itself northeastward along the valley of the *Cayster* (mod. Küçük Menderes) until the point at which the river turns north, near the mausoleum at Belevi. From there, this section of property continued eastward along the bottom of the shallow valley bounded on the south by the *Messogis Mons* (mod. Aydın Dağları) and on the north by slightly rising land that extends from the Belevi quarries on the west to *Almoura* (mod. Eskioba) on the east. Existing documentation takes the temple property only about half-way up this valley, to the modern sites of Bühükkale and Hasançavuslar.

The second block of temple property lay further to the north and east. It seems to have occupied an area between *Larisa*, *Almoura* and *Siklia.

The goddess also apparently owned property in the area of *Metropolis* (mod. Yeniköy) as well, where to date only one boundary marker (*in situ*) has been found.

Demarcations and Other Beneficia of Augustus

The direct evidence for the first of two boundary demarcations under Augustus consists of three bilingual boundary markers that say simply that he "restored boundaries to Artemis" (Texts 61.1 - 61.3). Two of these markers were recovered in the first (southern) area of property, while a third was found (evidently not *in situ*) in the town of Selçuk. Their emplacement cannot be dated precisely, but they are probably associated with an imperial restoration and (possibly) expansion of agricultural land belonging to the goddess, as indicated by other evidence.

Three other epigraphic sources shed light on the nature and date of this event. The first is a bilingual inscription from *Ephesus*, dating to ca. 23 BC. It records the improvement of part of a processional way sacred to Artemis³⁶⁸ as a "beneficium of Caesar Augustus, funded from the proceeds of the sacred fields that he gave ($de[dit] = \dot{\epsilon} \chi \alpha \rho i[\sigma \alpha \tau_0]$) to Diana" (Text 61.4). The work was conducted under the direction of the proconsul of *Asia*, Sextus Appuleius (hence the date). The second piece of relevant evidence is provided by a bilingual inscription that records the construction (in 6-5 BC) of a wall for the *fanum* ($v\alpha \delta \varsigma$, presumably Artemis' sanctuary) and an

³⁶⁷ The findspots of the markers are indicated on the following maps: Knibbe 1979, 147, IEph 7.2, 296 and Engelmann 1999, 145. The discussion below makes use of physical and cultural landmarks explicitly labeled on BAtlas Maps 56 and 61. Most of the findspots are not marked there.

³⁶⁸ Mixed Language Inscriptions 148.

Augusteum, all funded "from the (sacred) income of Diana (the goddess)" (Text 61.5). The third relevant document is a fragmentary bilingual edict of an even later proconsul, Paullus Fabius Persicus, who served during the early years of Claudius' reign. The edict addresses a variety of matters touching on civic and temple administration, and in particular makes note of a deficiency of temple funds, apparently because of embezzlement. Persicus makes a special point of drawing attention to Augustus' earlier provisions in this area by restoring the goddess' "copious income" (abundans vectigal) (Text 61.8).

Augustus apparently arranged for the identification and restoration of land that generated lease income for the temple of Artemis, and probably increased the amount of this land as well (although how this was accomplished – by purchase or appropriation – is unclear). Whether the demarcation occurred at the same time as the gift of land is unclear, but given the restorative aspect of the project, this seems likely.

Augustus' beneficia at Ephesus were not limited to the restoration and expansion of the goddess' agricultural property. We have already seen that he arranged, through the proconsul, for the construction of a wall around the sanctuary of Artemis and an Augusteum. Two other Greek inscriptions dating to the same year (6-5 BC) memorialize an additional project: his establishment of "sacred stelae of the roads and waterways for(?) Artemis" (Texts 61.6 - 61.7). The placement of these inscriptions identified parts of the urban fabric as the property of the goddess and clearly required survey, for these two examples each carry statements of the width of the roads and waterways so identified. The recording of widths for the roads and waterways in effect constitutes a boundary demarcation of sorts: the inscribed information then provided a basis on which encroachment or use of these spaces could be assessed. This survey cannot have been the same event as the restitution of the temple lands, which had been accomplished nearly twenty years before.

This survey is frequently connected by modern scholars with a terribly fragmentary document whose letter forms are not inconsistent with the Augustan age. ³⁷¹ It includes some directional cues and personal names, and also probably mentions boundary-marking officials ($\delta \rho \iota \sigma \tau \alpha i$), earlier

³⁶⁹ The implications and interpretative difficulties presented by this construction project – including the location and identification of the *Augusteum* – are explored in Engelmann 1993 and Scherrer 1990. The wall in question is probably the peribolos wall, which identified the sacred precincts and the spatial extent of the sanctuary's asylum (*asylia*). See Rigsby 1996, 388-392 for further discussion.

³⁷⁰ Compare lands owned and leased for income by the temple of Zeus at *Aizanoi*, restored by Hadrian, and lands owned and operated by the temple of Diana Tifatina in *Campania*, restored by Vespasian.

³⁷¹ Knibbe 1989, 223-224.59, where significant new fragments are tentatively related to some smaller ones, published earlier in IEph.

proclamations (τὰ προσεσημ[ειωμένα ???]), a local religious official with responsibility over something sacred (οἰκονόμος τῶν ἱερῶν τῶ[ν ---]), sites (τόποι), a restoration (ἀποκατάστασις), inscribed documents (στήλαι), and boundary markers (ὅροι). It is important to note here that this document, though suggestive, is not clearly a boundary description, and cannot be definitively linked to any of the Augustan projects. 372

This pattern of imperial benefaction reinforces what we know about the larger agenda of the emperor Augustus. In his *Res Gestae*, Augustus celebrates the replacement of the treasures allegedly looted from the temples of Asia Minor by Antony. The subsequent attention to the financial health and good order of *Ephesus* and its famous goddess, ³⁷³ though not highlighted in the *Res Gestae*, accords well with the attention and funds Augustus lavished on temples at Rome. It can be paralleled elsewhere in the empire as well. ³⁷⁴ As the benefactor *par excellence* of both gods and men, Augustus enhanced and reinforced his position of preeminence. The mature application, in the context of imperial administration, of land survey and boundary demarcation foreshadows the remarkably consistent approach and language of our later examples. It clearly sprang from the intersection of already mature Greek and Roman traditions of land management and civic boundary demarcation.

The Domitianic Demarcation

Six published boundary markers provide evidence for an extended demarcation effort during the reign of the emperor Domitian (Texts 61.9 - 61.14). The focus again was the agricultural property of Artemis, as evidenced both by their findspots (scattered across the areas described above) and by their texts: "boundary markers of the sacred estate of Artemis established." We do not know when the process of survey began or ended, but our earliest marker (Text 61.9) dates to the proconsular tenure of Sex. Iulius Frontinus (AD 84/85). The latest (Text 61.12) dates to AD 87/88, the term of C. Vettulenus Civica Cerialis. There is at present no documentation for one of the intervening years (AD 85/86), but two markers (Texts 61.10 and 61.11) belong to AD 86/87 (P. Nonius Asprenas Caesius Cassianus). The other two carry Domitian's titulature, but are damaged in the portion of the text that cites the proconsul. Text 61.13 preserves the first letter of the proconsul's name: Φ. There are three possible proconsular candidates known from this period:

 $^{^{372}}$ Whatever the precise nature of this document (perhaps a letter or civic decree), it is not recognizable as a straightforward ὁροθέσια, and, *pace* Burton 2000, 209.34, should not be considered as documentation of the earlier agricultural land demarcation.

³⁷³ Scherrer 1990.

³⁷⁴ See Alföldy 1991, 160-162 for discussion and sources.

³⁷⁵ This overview derives from that presented at Engelmann 1999, 145-146.

Sex. Iulius Frontinus (AD 84/85, cf., Text 61.9), L. Mestrius Florus (ca. AD 88/89) and M. Fulvius Gillo (ca. AD 89/90). If either of the latter two individuals were responsible, this would extend the project for another year or two. Frontinus is the most conservative supplement possible. The other fragmentary document (Text 61.14) provides no clue as to the identity of its proconsul.

The full context for the Domitianic demarcation remains obscure. There is contemporaneous evidence of imperial benefaction at *Ephesus*, including the establishment of a "perpetual gymnasiarch" and associated construction in the city center.³⁷⁶ It may be that this work was funded on the proceeds from the land so demarcated. It is possible that the land in question constituted a new gift of the emperor (again by purchase or appropriation). On the other hand, we may have here yet another reidentification and restitution of lands already associated with the temple, perhaps those demarcated under Augustus, perhaps others. The embezzlement alluded to by the Claudian-era proconsul Paullus Fabius Persicus may indicate that the misappropriation and misuse of temple lands and proceeds was a recurrent problem at *Ephesus* that perpetually required the attention of the Roman administration. If this speculation is correct, then the Domitianic project may well have had its origins in disputes and local elite competition. These disputes could have been generated by the efforts of the Roman administration and the local elite to identify funds to support the Domitianic building project and benefactions.

The Trajanic Demarcation

Unlike the Augustan and Domitianic efforts, no theory has been advanced as to the context or aims of the demarcation under Trajan. It is documented by two boundary markers (Texts 61.15 and 61.16). Only one of these (Text 61.15) can be dated, on the tenure of the proconsul Q. Fabius Postuminus, to AD 111/112. This document also mentions a $\delta\iota\acute{\alpha}\tau\alpha\gamma\mu\alpha$ (edict?) of Postuminus' immediate predecessor, L. Baebius Tullus, so it would appear that this issue (whatever its nature) was also significant in duration.

61.1. Mixed Language Inscriptions 149b; *IEph 3501; Knibbe 1979, 140.1; IGR 4.1672; ILS 3239; CIL 3.14195¹.

Imp(erator) Caesar / Augustus fines / Dianae restituit / Αὐτοκράτωρ Καῖσαρ / Σεβαστὸς ὅρους /⁵ Ἀρτέμιδι ἀποκατέ/στησεν

(Latin:) The emperor Caesar Augustus restored the boundaries for Diana.

(Greek:) The emperor Caesar Augustus re-established the boundaries for Artemis.

³⁷⁶ Engelmann 1998, 308-309, Engelmann 1999, 144-145.

61.2. Mixed Language Inscriptions 149a; *Içten 1998, 83.1.

Imp(erator) Caesar / Augustus fines / Dianae restituit / Αὐτοκράτωρ Καῖσαρ Σεβασ/τὸς ὅρους ᾿Αρτέμιδι / ὅαποκατέστησεν.

See Text 61.1.

61.3. *IEph 3502; Knibbe 1979, 140.2; IGR 4.1673.

[Imp(erator) C]aesar / [Augu]stus / [fines] Dianae / restituit / Αὐτοκράτωρ / δ Καῖσαρ Σεβασ/[τὸς -----

See Text 61.1.

61.4. Mixed Language Inscriptions 148; EDH HD016427 (Latin only); AE 1991.1502; SEG 41.971; *Alföldy 1991; IEph 459; Bammer 1974, 108; AE 1966.425.³⁷⁷

[bene]ficio Ca[esaris] / [A]ugusti ex rediti[bus] / agrorum sacroru[m] / quos is Dianae de[dit] / via strata Sex(to) / Appul[eio] / pro co(n)s(ule) / [Τ] $\hat{\eta}$ 1 Καίσαρος τοῦ Σεβαστο[$\hat{\upsilon}$ 1 / [χάριτ]1 ἐκ τῶν ἱερῶν προσό[δων] / [α]ς αὐτὸς τ $\hat{\eta}$ 1 θε $\hat{\alpha}$ 1 ἐχαρί[σατο] / $\hat{\upsilon}$ 0 δδὸς ἐστρώθη ἐπὶ ἀνθυπάτ[ου] / Σέξτου Αππολήιου.

(Latin:) As a *beneficium* of Caesar Augustus, the road was resurfaced out of the proceeds from the sacred fields which he gave to Diana by Sextus Appuleius, proconsul.

(Greek:) As a *beneficium* of Caesar Augustus, the road was resurfaced out of the sacred proceeds which he gave to the goddess by the proconsul Sextos Appoleios.

61.5. Mixed Language Inscriptions 150; Rigsby 1996, 391.183; *IEph 1522; ILS 97; CIL 3.6070.

Imp(erator) Caesar divi f(ilius) Aug(usti) co(n)s(ul) XII tr(ibunicia) pot(estate) XVIII pontifex / maximus ex reditu Dianae fanum et Augusteum muro / muniendum curavit [[C. Asinio [Gallo pro co(n)s(ule)]]] curatore / Sex(to) Lartidio leg(ato). / Αὐτοκράτωρ Καῖσαρ θεοῦ υἱὸς Σεβαστὸς ὕπατος τὸ ιβ΄ δημαρχικῆς ἐξουσίας τὸ ιη΄ / 5 [ἐκ] τῶν ἱερῶν τῆς θεοῦ προσόδων τὸν νεὼ καὶ τὸ Σεβαστῆον τιχισθῆναι προενοήθη / [[ἐπὶ ἀνθυπάτου Γαίου ἀσινίου Γάλλου]] ἐπιμελήα Σέξστου Λαρτιδίου πρεσβευτοῦ.

(Latin:) The emperor Caesar, son of a god, **Augustus**, consul 12 (times), (holding the) tribunician power 18 (times), pontifex maximus, out of the proceeds of Diana, took care of fortifying the sanctuary and the *Augusteum* with a wall, with C. Asinius Gallus, proconsul, overseeing with Sextus Lartidius, legate.

(Greek:) The emperor Caesar, son of a god, **Augustus**, consul 12 (times), holding the tribunician power 18 (times), out of the sacred proceeds of the goddess, undertook to wall the sanctuary and the *Sebasteon* through the proconsul Gaios Asinios Gallos, with Sexstos Lartidios, legate, overseeing.

³⁷⁷ Editions of this text earlier than that of Alföldy (Alföldy 1991) contain erroneous readings and, in some cases, nonsensical supplements, and should be suppressed.

61.6. *IEph 1523.

Αὐτοκράτωρ Καῖσαρ / θεοῦ υἱὸς Σεβαστός / ὕπατος τὸ ιβ΄, δημαρ/χικῆς ἐξουσίας τὸ ιη΄ / στήλας ἱερὰς τῶν ὁ/⁵δῶν καὶ ῥίθρων Ἀρτέμι/δι ἀποκατέστησεν [[ἐπὶ ἀνθυπάτου]] / [[Γαίου Ἀσινίου Γάλλου]] / ἐπιμελήα Σεξτου / Λαρτιδίου πρεσ/¹⁰βευτου. τὸ ῥεῖθρον ἔχει πλά/τους πήχεις ιε΄.

The emperor Caesar, son of a god, **Augustus**, consul 12 (times), holding the tribunician power 18 (times), established the sacred stelae of the roads and watercourses for Artemis through the proconsul Gaios Asinios Gallos, with Sextos Lartidios, legate, overseeing. The watercourse has a width of 15 *pecheis* (i.e., cubits).

61.7. *IEph 1524.

Αὐτοκράτωρ Καῖσαρ / θεοῦ υἱὸς Σεβαστός / ὕπατος τὸ ιβ΄, δημαρ/χικῆς ἐξουσίας τὸ ιη΄ / στήλας ἱερὰς τῶν /⁵ ὁδῶν καὶ ῥίθρων Ἀρ/τέμιδι ἀποκατέστη/σεν [[ἐπὶ ἀνθυπάτου]] / [[Γαίου Ἀσινίου Γάλλου]] / ἐπιμελήα Σέξτου /¹⁰ Λαρτιδίου πρεσβευτοῦ. [ἡ] ὁδὸς ἔχει σὺν τῶι / [ῥ]είθρω τοῦ ποταμοῦ / πήχεις λ΄.

The emperor Caesar, son of a god, **Augustus**, consul 12 (times), holding the tribunician power 18 (times), established the sacred stelae of the roads and watercourses for Artemis through the proconsul Gaios Asinios Gallos, with Sextos Lartidios, legate, overseeing. The road has with the bed of the river a width of 30 *pecheis* (i.e., cubits).

61.8. *IEph 1, 111 no. 19B (b).

----- / [--- multae enim aedes deo]/[ru]m ignibus cons[umptae aut] ruinae con[lapsae] / [i]acent; templum [ip]sum Dianae cum sit o[rna]/[m]entum provinciae et operis magnifice[ntia et] /⁵ [ve]tustate religionis et abundantia{e} vect[iga]/[l]ium, quae a divo Augusto deo deae restitu[ta] / [sun]t, eget suis opibus nec suffecit restitu[tio] / [bene]ficiorum, quae co[-----] / -----

For many temples of the gods have fallen to ruin through structural collapse or consuming fire. The temple of Diana itself – although it is a jewel of the province by virtue of the magnificence of its construction and by the antiquity of its rites, and by the abundance of its income, which was restored to the goddess by the divine **Augustus**, a god – is in want of its own resources ...

61.9. *Engelmann 1999, 143-146.4.

κατὰ τὴν Αὐτοκρά/τορος Καίσαρος / Δομιτιανοῦ Σεβασ/τοῦ Γερμανικοῦ / διαταγὴν ὅρος ἱεροῦ /⁵ χωρίου τῆς ᾿Αρτέμι/δος τεθεὶς ἐπὶ Σέ/ξτου Ἰουλίου Φρον/τείνου ἀνθυπά/του διὰ Κλωδίου /¹⁰ Κέλσου πρεσβευ/του.

According to the *diatage* (edict?) of the emperor Caesar Domitian **Augustus** Germanicus, boundary marker of the sacred estate of Artemis established by Sextos Ioulios Phronteinos, proconsul, through Klodios Kelsos, legate.

61.10. *IEph 3507.

[κατὰ τὴν Αὐτοκράτορος] / [Καίσαρος Δομετιανοῦ Σε]/[βα]στο[ῦ Γερμανικοῦ] / διαταγὴν ὅρο[ς ἱεροῦ χω]/ρίου τῆς ἀρτέμιδος [τε]/⁵θεὶς ἐπὶ Ποπλίου Νω/νίου ἀσπρήνα Καισίου / Κασσιανοῦ ἀνθυπάτου / παρόντος ἐπὶ τοὺς τόπους. According to the *diatage* (edict?) of the emperor Caesar Domitian **Augustus** Germanicus, boundary marker of the sacred estate of Artemis established by Poplios Nonios Asprena Kaisios Kassianos, proconsul, who was present at the sites.

61.11. *IEph 3506; Knibbe 1979, 141.4; McCrum-Woodhead 497; AE 1933.123.

[κατὰ τὴν Αὐτοκρά]/[τορος Καίσαρος Δο]/[μετιανοῦ] Σεβα[στοῦ] / [Γερμαν]ικοῦ δ[ιαταγ]ήν / ὅρος ἱεροῦ χωρ[ίου] /⁵ τῆς ᾿Αρτέμιδος τε/θεὶς [ἐ]πὶ Ποπλίου Νω/νίου ᾿Ασπρήνα Καισίου Κα[σ]σ[ι-]/ανοῦ ἀνθυπ[άτ]ου παρόν/τος ἐπὶ τοὺς τόπους.

See Text 61.10.

61.12. IEph 3510.

κατ[ὰ τὴν] / Αὐτοκρά[τορος] / Καίσαρο[ς [[Δομι]]/[[τιανοῦ]] Σεβ[αστοῦ] / [[Γερμανικοῦ]] [διατα]/⁵γὴν ὅρος [ἱεροῦ χω]/ρίου τῆς ᾿Αρτέμιδος] / τεθεὶς ἐπ[ὶ Γαίου] / Οὐετουλ[ηνοῦ Κι]/βίκα Κερια[λίου ἀνθυπά]/¹⁰του διά Π[------]/τ[.]ηκου Σάγ[κτου? πρεσ]/βευτοῦ

According to the *diatage* (edict?) of the emperor Caesar **Domitian** Augustus Germanicus, boundary marker of the sacred estate of Artemis established by Gaios Ouetoulenos Kibika Kerialios, proconsul, through P(...) (...)ekou Sagktou(?), legate.

61.13. *IEph 3508.

κατὰ τὴν Αὐτο/κρ[άτορος Καίσ]αρος / Δ[ομετιανοῦ Σεβα]σ/τ[οῦ Γερμανικοῦ δια]τα/γ[ὴν ὅρος ἱεροῦ χωρί]ου τ[ῆς ᾿Αρτέμιδος τε]/⁵θ[είς ἐπὶ ἀνθυπάτου] / Φ[-----

According to the *diatage* (edict?) of the emperor Caesar **Domitian** Augustus Germanicus, boundary marker of the sacred estate of Artemis established ... Ph(...)

61.14. *IEph 3509.

κατὰ τὴν Αὐτ[οκρά]/τορος Καίσαρο[ς [[Δομε]]]/[[τιανοῦ]] Σεβα[στοῦ [[Γερ]]]/[[μανικοῦ]] δι[αταγὴν] ὅρος ἱεροῦ χωρί[ου τῆς] / ᾿Αρτέμιδος τεθ[είς ἐπὶ] / ⁵ -----

According to the *diatage* (edict?) of the emperor Caesar **Domitian** Augustus Germanicus, boundary marker of the sacred estate of Artemis established

61.15. IEph 3511.

[κατὰ τὴν τοῦ Αὐτο]/[κράτορος Νέρουα] / [Τραιανοῦ Καίσαρος] / Σεβαστοῦ Γερμαν[ι]/κοῦ Δακικοῦ διαταγὴν ὅρος ἱερός ἀρτέ/⁵μιδος τεθεὶς ἐπὶ ἀν/θυπάτου Φαβίου Ποσ/τομείνου κατὰ τὸ Το/ύλλου διάταγμα.

According to the *diatage* (edict?) of the emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, sacred boundary marker of Artemis established by the proconsul Phabios Postomeinos, according to the *diatagma* (edict?) of Toullos.

61.16. *IEph 3512.

κατὰ τὴν τοῦ [Αὐτοκρά]/τορος Νέρουα Τ[ραιανοῦ Καί]σαρος Σεβ[ατοῦ Γερ]/μανικοῦ Δα[κικοῦ διατα]γὴν ὅρος ἱε[ρὸς ᾿Αρ]/[[τέμι]]δο[ς τεθείς] / -----

According to the *diatage* (edict?) of the emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, sacred boundary marker of Artemis ...

62. Restoration of Roman Public Lands in Cyrenaica

Burton 2000, nos. 73 and 74

Date(s): beginning AD 53

What follows here can only be a provisional account of Roman administrative measures relating to the restoration of public land in *Cyrenaica*. These matters are informed by literary references, and by a substantial number of inscribed boundary markers dating to the reigns of Claudius, Nero and Vespasian. I cannot provide a complete list, nor can I provide any useful topographic or temporal overview, for the majority of these inscriptions (despite their discovery over thirty years ago) remain unpublished.³⁷⁸

At the end of his narrative of the year AD 59, Tacitus reports on unspecified accusations brought before the Senate against L. Acilius Strabo (Text 62.1). Strabo had earned the enmity of the Cyrenaicans through a task he had been given in their province by the emperor Claudius: the adjudication of Roman public lands that had been occupied by squatters. The land in question, according to Tacitus, had been bequeathed to the Roman people by Ptolemy Apion, king of *Cyrene* (reigned ca. 105-101 – 96 BC). Not being party to the details of Strabo's mission, the Senate had to refer the matter to Nero. Nero exonerated Strabo and confirmed his verdicts, but then granted the land to the provincials as a *beneficium*.

Strabo's tenure in *Cyrenaica* is attested epigraphically by eight published inscriptions (Texts 62.2 to 62.8). Those that can be dated (Texts 62.2 to 62.4) indicate a span of at least AD 53 (under Claudius) to AD 54/55 (under Nero).

Either Nero's grant did not include all Roman public land in *Cyrenaica*, or his grant was subsequently rescinded, for we have evidence of an operation similar to Strabo's under the emperor Vespasian. Hyginus I, writing about types of land in the provinces, mentions inscribed boundary markers recording a Vespasianic restitution to the Roman people of land occupied by squatters (Text 62.9). He indicates that these were lands that had been given to the Roman people by "king Ptolemy." This operation is confirmed by four published boundary markers dating to all

³⁷⁸ J. Reynolds could speak of 28 of them in 1971, when only seven of them had appeared (Reynolds 1971, 47). The complete publication promised then has yet to appear, although J. Reynolds remains actively engaged in its preparation (pers. comm.). Previously unknown markers are still being found, e.g., Texts 1.8 and 1.12.

years in the span AD 71-74. These inscriptions indicate the work of the imperial legate Q. Paconius Agrippinus, ³⁷⁹ who restored a garden, a field, and a *Ptolemaeum* to the Roman people (Texts 62.10 - 62.14).

Another marker dating to sometime in the period AD 73-75 records a lease of land, in perpetuity, to one Apollonius, son of Paraebata (Text 62.15). Agrippinus is nowhere in evidence. The active Roman official in this matter was the proconsul, C. Arinius Modestus, who was serving an extended second term in the province. The marker invokes Vespasian's authority, but makes no mention of restitution, or of Ptolemy Apion. Instead, the property in question is described as "the territory of the *Apolloniatae* which the *res publica* with its allies bought." The full implications of this designation remain obscure to me, but it would seem to mark this land as separate from the Ptolemaic properties that exercised Strabo and Agrippinus. The words *divisa* and *locavit* are technical terms, frequently employed in the *agrimensores*, that would seem to indicate a new survey and partition of the land in question.

An apparently unrelated inscription dating to the eighth year of Domitian's tribunician power (AD 88/89) records the restoration of land occupied by squatters to the *civitas* of the *Ptolemaenses* (Text 62.16). This inscription derives from the area of *Ptolemais* (mod. Tolmeta in Libya), and should not be confused with the other inscriptions, which were found closer to *Apollonia* (mod. Marsa Susa) and *Cyrene* (mod. Ain Shahat), and in more rural areas inland from there.

62.1. *Tac. Ann. 14.18.

idem Cyrenenses reum agebant Acilium Strabonem, praetoria potestate usum et missum disceptatorem a Claudio agrorum, quos regis Apionis quondam avitos et populo Romano cum regno relictos proximus quisque possessor invaserant, diutinaque licentia et iniuria quasi iure et aequo nitebantur. igitur abiudicatis agris orta adversus iudicem invidia; et senatus ignota sibi esse mandata Claudii et consulendum principem respondit. Nero probata Strabonis sententia se nihilo minus subvenire sociis et usurpata concedere scripsit.

 $^{^{379}}$ During the reign of Claudius, Agrippinus (as "quaestor and boundary-setter" = τάμιας καὶ ὁροθέτης) had been involved in the restoration of roads and pathways on Crete: τὰς ὁδοὺς καὶ ἀνδροβάμονας ἀποκατέστησεν (five markers are known: ICret 3.3.25-29 and AE 1999.1442). This incident should probably be added to our catalog, but I have not had the opportunity to review the texts and analysis in order to categorize the incident properly.

Then the *Cyrenenses* brought a lawsuit against Acilius Strabo, who had been given praetorian power and sent by Claudius as a judge of the fields which at one time had been the patrimony of king Apion and later left, with his kingdom, to the Roman people. These fields had been invaded by squatters, and they relied upon their long-standing lawlessness and crime as if these were legality and fairness. Therefore, when the fields had been adjudicated, their hatred turned against the judge, but the Senate responded that the *mandata* of Claudius were unknown to it and the *princeps* would have to be consulted. Nero, having confirmed Strabo's verdict, wrote that he nonetheless (wished) to assist the allies (i.e., provincials), and he conceded the properties that had been usurped.

62.2. EDH HD011697 (Latin); SEG 26.1819; AE 1974.682; *Reynolds 1971, 47-49.1.

(front:) [Τι(βέριος)] Κλαύδιος / [Κ]αΐσαρ Σεβαστὸς / Γερμαν[ι]κὸς / [ἀρχ]ιερεὺς μέγιστος / δημαρ[χικῆ]ς ἐξου/⁵σ[ία]ς τὸ ιγ΄ αὐτοκρά/τ[ω]ρ τὸ κζ΄ πατ[ὴρ] / πατρίδος τιμητὴς / [ὕπα]τος [τὸ ε΄] / διὰ Λ(ευκίου) ἀκ[ιλίο]υ /¹ο Στραβ/ωνος τοῦ / ἰδίου πρεσβευτοῦ / Χωρία ὑπὸ ἰδιώτων / κατεχόμενα δήμω /¹5 Ὑρωμαίων ἀπο/κατέστησε

(back:) [Ti(berius) Claudius] / Caesa[r Augustus] / Ger[manicus] / [--- 5 lines ---] / per L(ucium) Ac[ili]um Str[a]/5bonem l[e]gatum suum / praedia [a] privatis / posses[sa p(opulo) R(omano)] resti/tuit

Tiberius **Claudius** Caesar Augustus Germanicus, pontifex maximus, holding the tribunician power 13 (times), (saluted as) imperator 27 (times), father of the country, censor, consul 5 (times), through Lucius Acilius Strabo his legate, restored to the Roman people the lands that had been occupied by private persons.

62.3. *EDH HD027199 (Latin); Smallwood 1967 386; *SEG 9.352; AE 1934.260 (Latin).

[Nero] Claudius divi / [Clau]di f(ilius) Ger(manici) Caesaris / [n(epos)] Ti(beri) Caesaris Aug[u]st[i] / [pr(onepos) div]i Aug(usti) abn(epos) Caesar Aug(ustus) / [G]ermanicos(!) pontif(ex) / max(imus) trib(unicia) pot(estate) imp(erator) {o}c(on)s(ul) / per L(ucium) Acilium Strabonem / leg(atum) suum fines occu/[p]atos a privatis p(opulo) R(omano) res/[ti]tuit. Νέρων Κλαύ/10διος θεοῦ Κλαυδίου υ[ἱό]ς / Γερμανικοῦ Καίσαρος / υἰωνός Τι(βερίου) Καίσαρος / [Σεβαστ]οῦ [ἀπέγγο]//[νο]ς θεοῦ Σε/15[βα]στοῦ ἔγγο/νος Καῖσαρ Σε/[βα]στὸς Γερμα/[νι]κός ἀρχιερεὺς / μέγιστος δημαρ/20χικῆς ἐξουσίας / αὐτοκράρωρ / ὕπατος / [διὰ Λ(ουκίου) ἀκει]λίο[υ] / [Στράβ]ωνος ἰδ[ί]/25ου πρεσβευτο[ῦ] / [ὅρ]ου[ς] διακατεχο/μένους ὑπὸ ἰδιω/τῶν δῆμω Ῥω/[μ]αί[ω]ν ἀποκατέσ/30τησεν.

Nero Claudius, son of the god Claudius, grandson of Germanicus Caesar, great-grandson of Tiberius Caesar Augustus, great-great grandson of the god Augustus, Caesar Augustus Germanicus, pontifex maximus, (holding the) tribunician power, (saluted as) imperator, consul, through Lucius Acilius Strabo his legate, restored to the Roman people the boundaries that had been occupied by private persons.

62.4. *AE 1974.677; Pugliese Carratelli 1961, 323.190.

[Νέρω]ν Κλαύδιος [θε]οῦ / [Κ]λαυδίου ὑὸς Γερμαν[ι]/κοῦ Καίσαρος ὑωνὸς / Τι(βερίου) Καίσαρος Σεβαστ[ου] / [κ]αὶ θεοῦ Σεβαστοῦ /⁵ ἔκγονος Καῖσαρ Σεβαστὸς Γερμαν[ι]\κὸς ἀρχι[ερε]ὺς μέ/γιστ[ος δημαρχ]ικῆ[ς] / ἐξου[σί]α[ς αὐτο]κρ[ά]/τωρ ὕπα[τος] / διὰ Λ(ουκίου) ἀκιλί[ου] /¹ο Στράβωνος τοῦ ἰδίο[υ] / πρεσβευτοῦ ὅρου[ς] κατεχομένους ὑπὸ / ἰ[δ]ιωτῶν δήμω Ῥωμαί/ων [ἀπ]οκατέστησεν

See Text 62.3.

62.5. SEG 46.2189; *AE 1995.1633; Alí 1996.

[Nero Claudius] / [divi Claudi f(ilius)] Germanici Cae/saris nep(os) [Ti(beri) Caes(aris)] / Aug(usti) pron(epos) div[i] Aug(usti) abn(epos) Caes[ar] / Aug(ustus) Germani[cus] / Imp(erator) per L(ucium) Acil[ium] / Strabonem l[egatum] / suum fines [oc]/cupatos a priv[atis] / p(opulo) R(omano) restituit{t}

Νέρων [Κ]λαύδιος / [θεοῦ Κλ]αυδίου Καί/σαρος Σεβαστοῦ / Γερμανικοῦ ὁὸ[ς] / Γερμανικοῦ [Καί]/σαρος ὑωνὸς Τι(βεριους) / Καίσαρος Σεβα/στοῦ [και] θεοῦ / Σεβαστοῦ [ἔγ/γ]ονος α[ἀτοκράτωρ διὰ /¹ο Λ. ἀκιλίου Στράβ/ωνος τοῦ ἰδίου πρεσ/βευτοῦ ὅρους ὑπὸ / ἰδιωτῶν κατεχομ/ένους δ(ήμφ) Ἡ(ωμαίων) /¹σ ἀποκατέστησεν].

Nero Claudius, son of the god Claudius, grandson of Germanicus Caesar, great-grandson of Tiberius Caesar Augustus, great-great grandson of the god Augustus, Caesar Augustus Germanicus, (saluted as) imperator, through Lucius Acilius Strabo, his legate, restored to the Roman people the boundaries that had been occupied by private persons.

62.6. *EDH HD011700; IApollonia 59; AE 1974.684; Reynolds 1971, 50-51.3.

(face a:) [---] / Τιβερίου [Καί]/σαρος Σε[βα]/στοῦ κα[ὶ] / θεοῦ Σε[βα]/ 5 στοῦ ἔ[κγο]νος / Σεβασ[τὸς] / Γερμα[ν(ικὸς)] / αὐτοκ[ρά]/τωρ [διὰ] / 10 Λουκ[ίου] / Ἀκιλί[ου Στρά]/βων[ος ---] / -----

(face b:) ---] locavit / [---] Apollonio / [--- qu]adringenis / [---] s et / [---] ob un/⁵[---] medi/[---

62.7. AE 1977.845; *SEG 27.113. See also: BE 1979.657.

----- / [r]estituit (vacat) [δι]ὰ Λο[υκίου] / ἀκιλίο[υ] Στρά[βωνος] / τοῦ ἰδίου πρ[εσβ]/[ε]υτοῦ [ὄ]ρο[υς διὰ]/⁵κατεχομ[ένους] / [ὑ]πὸ ἰδιωτῶ[ν] / [δήμῳ Ἡ]ωμαί[ων ἀπο]/[κα]τέ[στησεν]

62.8. See: SEG 46.2193; Ali Mohamed 1994, 1326-1327.4.³⁸⁰

62.9. *Campbell 2000, 88.33-90.1.

Neque hoc praetermittam, quod in prouincia[m] Cyrenensium conperi. in qua agri sunt regii, id est illi quos Ptolomeus rex populo Romano reliquit; sunt plinthides, <id est> laterculi quadrati uti centuriae, per sena milia pedum limitibus inclusi, habentes singuli laterculi iugera numero ∞ CCL; lapides uero inscripti nomine diui Vespasiani sub clausula tali, OCCVPATI A PRIVATIS FINES: P. R. {P}RESTITVIT.

³⁸⁰ No text published. "Dr Fadel has also brought into the Beida Museum a fragment of inscribed stone first reported at Kwemet ... It proved to be the upper left corner of one of the stelae erected by the Roman senator L. Acilius Strabo ... to mark the boundaries of land inherited by the Roman People ..." (Ali Mohamed 1994, 1326-1327.4).

Moreover, I shall not omit to mention something I discovered in the province of *Cyrene*. Here there are royal lands, that is, lands that King Ptolemy bequeathed to the Roman people. They are *plinthides*, (that is), square blocks of land like *centuriae*, enclosed by *limites* of 6,000 feet; each block of land has 1,250 *iugera*. There are stones inscribed with the name of the divine **Vespasian** with the following clause, 'land occupied by private individuals: he restored it to the Roman people.' 381

62.10. EDH HD026844 (Latin); *SEG 9.165; AE 1919.91 (Latin); AE 1919.92 (Greek).

[I]mp(erator) Caesar / Vespasianus / Aug(ustus) pont(ifex) max(imus) / tribunic(ia) pot(estate) III / [i]m(perator) VIII p(ater) p(atriae) co(n)s(ul) / 5 [I]II desig(natus) IIII per Q(uintum) / [P]aconium Agrip/[pe]inum legatum / su[um] populo R(omano) / [Ptolema]eu[m] / 10 res/[titui]t. / [A $\dot{0}$]τοκράτω[ρ] / [Κα] $\dot{0}$ σαρ Ο $\dot{0}$ εσ/[π]ασιανός / 15 ἀρχιερε $\dot{0}$ ς μέ/[γισ]τος δημαρχ[ι]/[κ $\dot{0}$ ς ξξουσίας τ[$\dot{0}$] / [γ΄ α $\dot{0}$]τοκράτορ (sic) / [τ $\dot{0}$] η΄ πατ $\dot{0}$ ρ πα[τ]/ 20 ρίδος ὕπατος / [τ $\dot{0}$] γ΄ δεδειγ[μέ]/νος τ $\dot{0}$ δ΄ διὰ Κ(οίντου) / [Π]ακωνίου Άγρι[π]/[π]είνου ἰδίου [π]/ 25 [ρ]εσβευτο $\dot{0}$ δ(ήμ $\dot{0}$ μ $\dot{0}$) 'P($\dot{0}$ μαίων) / [τ $\dot{0}$] Π[το]λυμα $\dot{0}$ ο[ν] / [ά $\dot{0}$]εκατέστησεν.

The emperor Caesar **Vespasian** Augustus, pontifex maximus, (holding the) tribunician power 3 (times), (saluted as) imperator 8 (times), father of the country, consul 3 (times), consul-designate 4 (times), through Quintus Paconius Agrippeinus, his legate, restored the Ptolemaeum to the Roman people.

62.11. EDH HD026847 (Latin); McCrum-Woodhead 435; *SEG 9.166; AE 1919.93.

[imp(erator) Caesar] / [Vespasianus Au]g(ustus) pront(ifex) max(imus) / tribunic(ia) pront(estate) III / imp(erator) VIII p(ater) p(atriae) co(n)s(ul) / III desig(natus) IV per / Q(uintum) Paconium A/grippeinum le/gatum suum / populo R(omano) / Ptol(e)maeum / restituit.

[αὐτοκράτωρ] / [Καῖσαρ] Οὐε[σπα]/σιανὸς ἀρχιε[ρεὺς] / μέγιστος δημ[αρ]/χικῆς ἐξουσίας /⁵ τὸ γ' αὐτοκράτωρ / τὸ η' πατὴρ πα/τρίδος ὕπατος τὸ γ' / ἀποδεδειγμένος / τὸ δ' διὰ Κ(οίντου) Πακωνί/¹⁰ου ᾿Αγριππείνου ἰ/δίου πρεσβευτοῦ / δ(ήμ ω) Ἡ Πτυλυμαῖ/ον ἀποκατέστη/σεν.

The emperor Caesar **Vespasian** Augustus, pontifex maximus, (holding the) tribunician power 3 (times), (saluted as) imperator 8 (times), father of the country, consul 3 (times), consul-designate 4 (times), through Quintus Paconius Agrippeinus, his legate, restored the Ptolemaeum to the Roman people.

62.12. *AE 2000.1590.³⁸²

----- / [---] δ[η]μ[αρχι]κῆς ἐξ[ουσί]/[ας] τὸ γ΄ αὐτοκράτωρ τὸ η΄ / πατὴρ πατρίδος ὕπατ[ος] / [τὸ γ΄] ἀποδεδε[ιγ]μέν[ος τ]ὸ [δ΄] /⁵ [δι]ὰ Κ(οίντου) Πακωνίου / [ʾA]γριππίνου ἰδίο[υ πρ]εσ[βευ]/[τ]οῦ δ(ήμω) Ἡ (ωμαίων) ἀγρὸν Δ[-]ΟΝ[---] / [ἀ]ποκατέστησ[εν]

... (holding the) tribunician power 3 (times), (saluted as) imperator 8 (times), father of the country, consul (3 times), consul-designate (4 times), through Quintus Paconius Agrippeinus, his legate, restored the field D(-)ON(---) to the Roman people.

³⁸¹ Translation is Campbell's.

³⁸² Found in 1959 in a garden in Benghasi, but first published in 2000.

62.13. *EDH HD027202 (Latin); *SEG 9.360; AE 1934.261 (Latin).³⁸³

[I]mp(erator) Caesar Vespa/sianus Aug(ustus) pont(ifex) m(aximus) / tr(ibunicia) pot(estate) IIII imp(erator) VIII p(ater) p(atriae) / co(n)s(ul) IIII desig(natus) V per / Q(uintum) Paconium leg(atum) / suum hortum / p(opulo) R(omano) rest(ituit). / Αὐτοκράτωρ Καῖσαρ / Οὐεσπασιανός ἀρχιε/ρεὺς μέγιστος δη/ μαρχικῆς ἐξουσίας / τὸ δ΄ αὐτοκράτωρ τὸ η΄ πατὴρ πατρίδος ὕπ[α]/τος τὸ ε΄ ἀποδεδειγ[μέ]/νος τὸ ε΄ διὰ Κ(οίντου) Πακω[νίου] / ᾿Αγριππείνου ἰδίο[υ πρεσβ]/ ευτοῦ κῆπον δ(ήμω) 'Ρ(ωμαίων) / ἀποκατέστησεν.

The emperor Caesar **Vespasian** Augustus, pontifex maximus, (holding the) tribunician power 4 (times), (saluted as) imperator 8 (times), father of the country, consul 4 (times), consul-designate 5 (times), through Quintus Paconius (Agrippeinos)³⁸⁴ his legate, restored the garden to the Roman people.

62.14. AE 1974.683; *Reynolds 1971, 49-50.2.

(central face: content lost)

(left face:) [--- αὐ]/[τ]οκ[ρ]άτωρ [-]/[πατ]ὴρ πατρί/[δο]ς ὕπατος ε΄ / [δ]ιὰ Κ(ουίντου) Πακωνί/ 5 [ου] Άγριππείνου / ----

(right face:) [το] \hat{v} ἰδίου πρ[εσ]βευτο \hat{v} ἀ[γ]/[ρ] $\hat{\omega}$ ν βασιλ[ί]/κ $\hat{\omega}$ ν δ(ήμ $\hat{\omega}$) 'P($\hat{\omega}$ μαί $\hat{\omega}$ ν) / ἀποκατέσ/τησεν / \hat{v} ----- / ἰδί $\hat{\omega}$ τ[$\hat{\omega}$]ν / δήμ $\hat{\omega}$ 'P $\hat{\omega}$ /μαί $\hat{\omega}$ ν ἀπο/ \hat{v} 0 κατέστησ[εν].

... (saluted as?) imperator (? times?), father of the country, consul 5 (times), through Kouintos Pakonios Agrippeinos, his legate, restored (the borders of?) the royal fields to the Roman people ... (he?) restored ? (occupied by) private persons to the Roman people.

62.15. *EDH HD015145; IApollonia 76; AE 1967.531; Reynolds 1965.

Ex auctoritate / Imp(eratoris) Caesaris Vespasi/ani Aug(usti) G(aius) Arinius Modes/tus proco(n)s(ul) II choria(!) Apol/loniatarum quae res pu/sblica cum soci(i)s emerat / divisa locavit / in perpetuum Apol/lonio Paraebatae f(ilio) / annuis denari(i)s /10 CCCCVIII fide Theo/dori Theodori f(ilii) et / Antoni Bathylli in / quibus sunt medimnia(!) / XXIII hemi(su)(!) I

By the authority of the emperor Caesar **Vespasian** Augustus, Gaius Arinius Modestus, proconsul for the second time, having divided the territory of the Apolloniatae which the *res publica* with its allies had bought, rented (these fields) in perpetuity to Apollonius son of Paraebata for the annual sum of 408 *denarii*, with Theodorus son of Theodorus and Antonius Bathyllus as guarantors, in which (fields) there are 23 1/2 *medimnae*.

62.16. *EDH HD018137; AE 1954.188.

Iussu Imp(eratoris) Domitiani Cae/saris Aug(usti) Germ(anici) pont(ificis) ma/ximi trib(unicia) pot(estate) VIII p(atris) p(atriae) co(n)s(ulis) [XII]II / cens(oris) perpetui C(aius) Pomponi/us Gallus Didius Rufus / 5 proco(n)s(ul) locum p $^{\circ}$ 0 $^{\circ}$ sses/sum a privatis civitati / Ptolemaensium res/tituit.

³⁸³ Redated to AD 73, see: Buttrey 1980, 16.

³⁸⁴ The Latin text omits the cognomen.

By order of the emperor **Domitian** Caesar Augustus Germanicus, pontifex maximus, (holding the) tribunician power 8 (times), father of the country, consul (14 times), censor in perpetuity, Gaius Pomponius Gallus Didius Rufus, proconsul, restored the site that had been occupied by private individuals to the *civitas* of the *Ptolemaenses*.

63. Restoration of Land to Cretan Sanctuary of Aesculapius

Date(s): AD 54-68

Two boundary markers from Crete, dating to the reign of Nero, record the restoration to the Roman colony at *Cnossus* of five *iugera* of land said to have been "given to Aesculapius by Augustus." It is not clear why the land needed to be restored, nor what the role of the procurator was (adjudicative or administrative?). This restoration (and the original grant) are frequently connected to the dispute between a citizen of *Cnossus* and the Roman colony of *Capua* in Italy, which controlled an extensive territory in Crete, given it by Augustus. Although there may have been some relationship, the details cannot be recovered. Neither the personnel involved, nor the dates of the affairs, coincide. Augustus' grant to a civic temple is not unique. Compare, for example, his extensive involvement in the affairs of Artemis at *Ephesus*. The restoration of such sacred lands involved more than one subsequent emperor.

63.1. Smallwood 1967 385; ILS 8091; ICret 1.8.49; CIL 3.14377.

Nero Claudiu[s] / Caesar Aug(ustus) / Germanicus / Aesculapio iu/gera quinque /5 data a divo Aug(usto) / confirmata / a divo Clau[dio] / restituit / C(oloniae) I(uliae) N(obili) Cnos(so) per /10 P(ublium) Licinium Secu/ndum proc(uratorem)

Nero Claudius Caesar Augustus Germanicus restored the five *iugera*, given to Aesculapius by the god **Augustus** and confirmed by the god **Claudius**, to the *Colonia Iulia Nobilis Cnossus* through Publius Licinius Secundus, procurator.

63.2. *EDH HD032952; AE 1901.240.³⁸⁶

[[[Nero]]] Cl[a]udiu[s] / Caesar Aug(ustus) / Germanicus / Aesculapio iu/gera quinque /⁵ data a divo Au[g(usto)] / confirmata / a divo Cl[aud]i[o] / restituit [---] / c(oloniae) I(uliae) n(obili) Cnos[o per] /¹⁰ P(ublium) Licinium [Secu]/n[du]m proc(uratorem)

See Text 63.1.

³⁸⁵ Instance 27.

³⁸⁶ At the end of line 11 and the beginning of 12, EDH supplements [Caeci]/n[a]m(?), but on the basis of Text 63.1, [Secu]/n[du]m seems more probable.

64. Restoration of the praedia publica of Gortyn

Date(s): AD 64-65

Two boundary markers recovered from the area of *Pyranthos* (mod. Pyrathi on Crete) attest to the restoration and demarcation of public land belonging to *Gortyn* that had been occupied by private persons. The proconsul carried out this activity under the authority of the emperor and a decree of the Senate. It is unclear why the proconsul should have needed authorization to handle such a matter involving a city that fell within his provincial jurisdiction. Perhaps some of the parties occupying the lands in question asserted that they were not under his jurisdiction, therefore requiring special authorization. The involvement of the Senate is unusual for the imperial period, though standard during the Republic. It may be that this matter had antecedents in Republican-era land distributions or disputes, but that information is wholly inaccessible to us.³⁸⁷ It may also be the case that the transition away from the Senate's involvement in **boundary disputes** in the provinces was not wholly complete by this point in Nero's reign.³⁸⁸

64.1. *EDH HD026658; *ICret 1.26.2; AE 1919.22.³⁸⁹

Ex auctoritate / Neronis Cl<a>udi / Caesaris Aug(usti) Ger/man<i>ci pontif(icis) / maxi(mi) trib(unicia) pot(estate) XI /5 imp(eratoris) co(n)s(ulis) IIII p(atris) p(atriae) et / ex s(enatus) c(onsulto) / L(ucius) Turpilius Dexter / proco(n)s(ul) pr[aedia p]ublica / Gortunio[rum p]leraqu/10 a priva[ti]s occupata / res{res}t[it]uit termin/avitque

By the authority of **Nero** Claudius Caesar Augustus Germanicus, pontifex maximus, (holding the) tribunician power for the 11th time, (saluted as) imperator, consul 4 times, father of the country, and according to a decree of the Senate, Lucius Turpilius Dexter, proconsul, restored the *praedia publica* of the *Gortunii*, which had been largely occupied by private persons, and put up boundary markers.

64.2. *ICret 1.26.3.

Ex auc[toritate] / Neron[is Claudi] / Caes[aris Aug(usti)] Ger[manici ---

³⁸⁷ It is likely that this area too was involved in a major reorganization carried out under Augustus. See Instance 27.

³⁸⁸ Compare Instance 10. Talbert 1984, 401-402 relates the Senate's involvement to its own embarassment in AD 59 when it could not handle a *repetundae* trial brought against L. Acilius Strabo by the people of *Cyrenaica* because it had no knowledge of the *mandata* Strabo had been given by Claudius.

³⁸⁹ Editions of this inscription can be compared with the excellent photograph published in ICret. The EDH edition improves upon the ICret edition in lines 9-12 where it provides a clearer impression as to what text has been lost because of damage to the stone. Unfortunately, the EDH text also incorporates errors of reading in lines 2 and 3: the "a" in Cl < a > udi and the first "i" in German < i > ci are clearly missing from the stone. EDH also mistakenly marks the end of line 6 after the word ex instead of before it. The text presented here is therefore a composite of the two published editions, collated against the photograph in ICret.

65. Restoration of Public Places at Pompeii

Date(s): AD 70-79?

Three boundary markers from *Pompeii* bearing identical texts attest to the intervention of a tribune of the praetorian guard who, on the emperor's authority, restored to civic control public lands that had been occupied by private persons. That this task entailed the resolution of more than one **boundary dispute** is confirmed by the text's indication that cases were heard and surveys made (*causis cognitis et mensuris factis*).

The career of this tribune, T. Suedius Clemens, as well as his activities in *Pompeii*, are documented by a number of disparate sources.³⁹⁰ He first comes to our attention as an infamous *primus pilus* of the praetorians under Otho in AD 69, and vanishes again after memorializing a visit (now *praefectus castrorum*) to the colossus of Memnon in Egypt in AD 79. Surviving electoral notices at *Pompeii* reveal that Clemens played a role in local politics during his tenure there, which can be no more securely dated than some time shortly before the eruption of Mt. Vesuvius in AD 79. He endorsed a man named M. Epidius Sabinus for the office of duovir. The notices in question style Clemens as *sanctus* or *sanctissimus iudex* (sacred judge).³⁹¹ On another notice, wherein Clemens' title is not made explicit, Clemens' endorsement is characterized as a sententia: *M. Epidium Sabinum ex sententia Suedi Clementis Sabinus d(uo) v(irum) i(ure) d(icundo) o(ro) v(os) f(aciatis)*.³⁹² The use of this term may have been intended to evoke Clemens' judicial role as well. For his part, Sabinus is elsewhere styled *defensor coloniae*, a title that may indicate he served as a *causidicus* (case pleader) before Clemens' tribunal.

We would of course like to know more about Clemens' activities and relationships with the local elites of *Pompeii*, but even as it stands his is by far the most illuminating legacy of any of the *iudices* known to have been involved in boundary disputes during the empire. It seems clear that the issue of *Pompeii's* public spaces was a very sensitive one. Clemens seems to have had a significant public profile, and to have engaged with members of the local elite in a dynamic way over an extended period of time. Whether we should take his relationship with Sabinus in the electoral notices as indicating that he was highly regarded throughout the community as a result of his work remains unclear. It depends on whether we take these electoral notices as the work of

³⁹⁰ See now Jiménez de Furundarena 1999 and Franklin 2001, 156-194, both with complementary sources, literature and discussion. The following discussion of Clemens' role at *Pompeii* is heavily dependent upon Franklin's presentation and arguments.

³⁹¹ CIL 4.1059 = Franklin 2001, 158.166, CIL 4.768 = Franklin 2001, 159.168, CIL 4.7579 = Franklin 2001, 159.169.

³⁹² CIL 4.791 = Franklin 2001, 158.167.

the candidate, or of his opponents. L. Acilius Strabo, who carried out a similar mission with respect to Roman public lands in *Cyrenaica*, was prosecuted before the Senate by the provincials.³⁹³ If Clemens was widely disliked for his role, a reported verdict in favor of a particular candidate on the part of the 'most revered' judge might not reflect well on the recipient.

The contexts in which these markers were placed provide some additional information about the nature of Clemens' commission. ³⁹⁴ They all occupy prominent positions just outside the city gates and coordinate spatially with a zone of clear space, tombs, statues and pathways that encircle the city just outside the walls. Some of the monuments carry inscriptions indicating that the monument was placed in accordance with a decree of the decurions or that the space had been explicitly granted for the purpose (*locus datus*), a clear indication that civic public space in this area was being legally granted for the construction of tombs and the erection of monuments. At the *Porta di Vesuvio*, a number of uninscribed cippi survive, demarcating the edge of the road and some divisions between tombs. Clearly, Clemens' task was to oversee a review of all occupation in this zone, and to judge on the basis of available evidence which structures and uses had been legally authorized, and whether these legal users had kept their structures within bounds specified in the authorizations.

Although we cannot document it, it seems likely that Clemens' activities were directly and explicitly delegated to him by the emperor. This delegation presumably would have followed on from a petition brought to the emperor by the Roman colony at *Pompeii*, requesting his assistance in sorting out a thorny problem that might otherwise provoke significant civic unrest. We should not be surprised by such an approach, since the inhabitants of Italy at this period lacked anyone equivalent to a provincial governor they could approach. The pattern is illustrated by the behavior of the people of Nuceria in AD 59, who approached the emperor with their concerns about a riot that had occurred in Pompeii, during which many of their citizens had been killed. In that case, Nero referred the matter to the Senate. It may be that by Vespasian's time is was quite clear that the demarcation of boundaries and related tasks was thoroughly a prerogative of the emperor.

³⁹³ Instance 62.

³⁹⁴ The following discussion derives from the findings of Kathryn McDonnell, which she has been kind enough to share with me in advance of publication. See my notes on the context of each marker below.

³⁹⁵ Tac. Ann. 14.17.

³⁹⁶ We have only two examples of the Senate's involvement in land disputes during the principate: Instances 10 and 64. The first of these, involving the temple of Artemis Limnatis had significant preimperial antecedents, including action by the Senate during the Republic. The second case, in which the proconsul of Crete restored to the city of *Gortyn praedia publica* that had been occupied by private persons, was carried out on the combination of the emperor's authority and a decree of the Senate. The reasons for this unique formulation are obscure.

In any case, only the emperor could have assigned an military officer on active service to attend to such a matter. As a special emissary of the emperor, Clemens' mission therefore compares with that of Claudius' *amicus* Iulius Planta, who was sent north to the area of *Comum* to investigate a complex dispute involving several communities.³⁹⁷

65.1. ILS 5942; *CIL 10.1018.³⁹⁸

ex auctoritate / imp(eratoris) Caesaris / Vespasiani Aug(usti) / loca publica a privatis / possessa T(itus) Suedius Clemens /5 tribunus, causis cognitis et / mensuris factis, rei / publicae Pompeianorum / restituit

By the authority of the emperor Caesar **Vespasian** Augustus, Titus Suedius Clemens, tribune, the cases having been heard and measurements having been taken, restored public places repossessed from private parties to the *res publica Pompeianorum*.

65.2. Spano 1910b, 399-401.³⁹⁹

ex auctoritate / imp(eratoris) Caesaris / Vespasiani Aug(usti) / loca publica / a privatis possessa T(iberius) Suedius / Clemens tribunus causis cognitis / et mensuris factis rei publicae / Pompeianorum restituit

See Text 65.1.

65.3. *Bruneau 1975, 124 fig. 14 (photo only). 400

ex auctoritate / imp(eratoris) caesaris / Vespasiani Aug(usti) / loca publica a privatis / possessa (vacat) T(itus) Suedius /^s Clemens tribunus causis / cognitis et mensuris factis / rei publicae Pompeianorum / restituit

See Text 65.1.

³⁹⁷ Instance 15.

³⁹⁸ Discovered outside the *Porta di Ercolano* in 1763. The original report of the find, cribbed by Mommsen at CIL 10.1018, indicates that the cippus was located at the intersection of the *via sepulcrorum* and another road leading from the gate to the coast.

³⁹⁹ Excavated outside the *Porta del Vesuvio* during the 1907-1908 excavation season, this cippus occupied a position at the east edge of the main road leaving *Pompeii* to the north, approximately 30 meters from the gate and immediately in front of a large tomb that fronts the road on the east. In the vicinity and to the west of the road is a collection of other tombs, separated from themselves and from the road itself by a series of uninscribed cippi that seem to mark an irregular network of boundaries. Spano provides a plan and photographs of the area.

⁴⁰⁰ The existence of a third such inscribed cippus, still in situ outside the *Porta di Nocera*, is well known to Pompeiian scholars, but I have been unable to find a published record of its excavation or a published epigraphic edition. P. Bruneau somewhat unaccountably published a photograph of it in a largely unrelated article about *Delos*. It is clear from the line-to-line arrangement of text that this is most surely not Text 65.1 or Text 65.2. I have prepared the text presented here from Bruneau's photograph. The readings are entirely unproblematic, and the lettering well preserved and legible in the photograph.

66. Restoration of Public Lands of the Municipium Canusinum

Date(s): AD 76

A single boundary marker discovered in the area of *Canusium* (mod. Canosa in Italy) attests to the restoration of the boundaries of public lands belonging to *Canusium*. The restoration is attributed to the emperor Vespasian, and is said to have been done "according to the public maps" (*ex formis publicis*). Presumably, this means copies of original survey maps were requested from Rome, and these were then used in a survey aimed at restoring the old boundaries. ⁴⁰¹ This process was no doubt necessitated by a dispute, but the details are lost to us. The text provides no insight into the mechanisms whereby this process was accomplished, nor the personnel who were involved.

66.1. *EDH HD019435; Chelotti 1985 no. 10; AE 1945.85.

Imp(erator) Caesar / Vespasianus Aug(ustus) / co(n)s(ul) VII fines / agrorum public(orum) / m(unicipii) C(anusini) ex formis /5 publicis restituit

The emperor Caesar **Vespasian** Augustus, consul 7 times, restored the boundaries of the public fields of *Municipium Canusinum* according to the public maps.

67. Restoration of the Boundaries of the Fields Consecrated to Diana Tifatina

Date(s): AD 77 or 78

The venerable sanctuary of *Diana Tifatina* (now the modern church of S. Angelo in Formis in Italy) lay just south of the *Volturnus* (mod. Volturno) river at the northwestern end of the *Mons Tifata*. As many as five boundary markers dating to AD 77 or 78 survived the Roman period to document the restoration of boundaries defining lands and plots belonging to the temple (Texts 67.2 - 67.6). The emperor Vespasian is credited with responsibility for the restoration, which was implemented on the basis of a map ascribed to the emperor Augustus. The lands in question had been dedicated to the goddess originally by the dictator Sulla following a victory in the area over the consul Gaius Norbanus in 83 BC; this origin is noted on the boundary markers and confirmed by a passage in Velleius Paterculus (Text 67.1). 402

⁴⁰¹ Compare the redemarcation of the centuriated territory of *Arausio* (mod. Orange in France), in accordance with maps provided by the emperor Vespasian (Piganiol 1962).

⁴⁰² Vallat 1979, 984 thinks that Sulla's 'donation' to Diana should be seen as part of a larger and more complex series of land distributions in *Campania*, attested by other sources but overlooked by Velleius.

Augustus' earlier involvement is obscure. It may be the case that the map was prepared in the course of resolving an earlier dispute touching on the same area. On the other hand, the restitution of temple lands has long been identified as a matter of special concern for Augustus, as has the more general stabilization of landholding of all types. The Augustan map could have been made in the context of more general surveys associated with dispute resolution or veteran settlements in *Campania*, and might well have indicated pre-existing ownership of land in the area that was not disturbed (or verified) during this period. Any of these predilections or activities may have led to the creation of the map, but without more explicit testimony we cannot move beyond speculation.

The path whereby Vespasian became involved in this matter is similarly unclear. Scholars generally assume that encroachment on the temple lands, either by local landholders or wealthy elites from Rome with landed interests in *Campania*, led to a case before the emperor that resulted in the restoration. Where we do have unequivocal evidence for direct imperial involvement in the resolution of boundary disputes, this is the pattern we see. An aggrieved party brought the case to the emperor directly (if in Italy or if the case spanned provincial jurisdictions), or a governor – who needed advice or had to impose a solution in the absence of adequate evidence – consulted the emperor himself. What the particulars were in this affair, or who Vespasian employed to conduct local investigations and carry out the survey and emplacement of the new markers, we do not know. 408

In the presentation of texts below, I have followed the arguments of De Franciscis 1966, who rehabilitates two early reports of markers that were suppressed by Mommsen at CIL 10.3828 as inferior modern copies of the text he edited. At issue is some variation in the texts. Some refer to *agri* dedicated to the goddess, others refer to *loci*. Both words are now securely attested on markers excavated in the 20th century. De Franciscis 1966, 245 considers two possible

⁴⁰³ Rigsby 1976, 321.

⁴⁰⁴ Moatti 1993, 37, with sources and literature.

⁴⁰⁵ Campbell 1996, 95-98.

⁴⁰⁶ The confiscation of land from *Capua* for veteran settlements by Augustus is documented (ILS 6308 = CIL 10.3825, cf., Campbell 1996, 94 and note 88). It was in compensation for this loss that *Capua* received a *praefectura* in Crete. See Instance 27.

⁴⁰⁷ Thus Rigsby 1976, 321, following Mommsen (CIL 10, 367).

⁴⁰⁸ The nature of the property consecrated to Diana Tifatina seems to have been different from that consecrated to Zeus Conditor at *Aezanoi* in that Diana's estates were worked by slave laborers under the supervision of a *vilicus* (Carlsen 1994a and Carlsen 1995, 62-63). The sacred lands at *Aezanoi* were leased for a fee.

explanations, neither entirely satisfying, for the *variatio*: perhaps *loci* refer to parcels of land in mountainous terrain and *agri* to cultivable fields in the plain, or perhaps *loci* designate "*l'area sacra, il temenos*" and *agri* the agricultural area. Absent the discovery of more markers, securely *in situ*, we will be unable to move beyond speculation here.

67.1. *Vell. Pat. 2.25.

Post uictoriam, namque ascendens montem Tifata cum C. Norbano concurrerat, Sulla gratis Dianae, cuius numini regio illa sacrata est, soluit; aquas salubritate medendisque corporibus nobiles agrosque omnes addixit deae. Huius gratae religionis memoriam et inscriptio templi adfixa posti hodieque <et> tabula testatur aerea intra aedem.

After the victory (for, while ascending the *Mons Tifata* he had clashed with Gaius Norbanus) Sulla paid his debt to Diana to whose *numen* that region is sacred; he assigned the waters (famed for their wholesomeness and healing properties) as well as all the fields to the goddess. As a memorial to this pleasing piety, an inscription affixed to the doorpost of the temple and a bronze tablet inside the structure still today give witness.

67.2. De Franciscis 1966, 242.1.⁴⁰⁹

Imp(erator) Caesar / Vespasianus / Aug(ustus) co(n)s(ul) VIII / fines locorum dicator(um) / Dianae Tifatinae /⁵ [a] Cornelio Sulla ex / forma divi Aug(usti) / restituit

The emperor Caesar **Vespasian** Augustus, consul 8 times, restored the boundaries of the sites consecrated to Diana Tifatina by Cornelius Sulla according to the map of the god **Augustus**.

67.3. *De Franciscis 1966, 243.2; Pratilli 1745, 281 (non vidi). 410

Imp(erator) Caesar / Vespasianus / Aug(ustus) co(n)s(ul) VIII / fines locorum dicator(um) / Dianae Tifatinae / 5 a Cornelio Sulla ex / forma divi Augusti / restituit

See Text 67.2.

67.4. EDH HD028942; *De Franciscis 1966, 243.3; ILS 3240; AE 1894.146.⁴¹¹

(top:) P(raedia) D(ianae) T(ifatinae)

⁴⁰⁹ The testimony for this marker derives from manuscripts now in the collection of the Vatican library. See De Franciscis 1966, 242.1 for details. Mommsen suppressed this testimony (together with that of Pratilli for Text 67.2), in part because of the use of *locorum* for *agrorum* in line 4, which he considered a modern copyist's error. The variation in wording is now justified by the discovery of Text 67.4, and De Franciscis has therefore rehabilitated both of the earlier texts.

⁴¹⁰ This marker was first reported by Pratilli 1745, 281 (non vidi), and later suppressed by Mommsen as cribbed from the manuscript sources for Text 67.2, which he regarded as an inferior copy of Text 67.5 as published in CIL. De Franciscis has rehabilitated Pratilli's text as an independently excavated marker on the same grounds as Text 67.2.

⁴¹¹ The EDH text omits the first line of the inscription (located on the top of the cippus) as reported by all earlier witnesses. I have therefore followed De Franciscis 1966. Compare Text 67.6.

(face:) Imp(erator) Caesar / Vespasianus Aug(ustus) / co(n)s(ul) VIII fines locor(um) / dicatorum Dianae / Tifat(inae) a Cornelio Sulla /5 ex forma divi Aug(usti) / restituit

The Estates of Diana Tifatina. The emperor Caesar **Vespasian** Augustus, consul 8 times, restored the boundaries of the sites consecrated to Diana Tifatina by Cornelius Sulla according to the map of the god **Augustus**.

67.5. *De Franciscis 1966, 243.4; ILS 251; CIL 10.3828.

Imp(erator) Caesar / Vespasianus / Aug(ustus) co(n)s(ul) VIII / fines agrorum / dicatorum / Dianae Tifat(inae) a / Cornelio Sulla / ex forma divi / Aug(usti) restituit

The emperor Caesar **Vespasian** Augustus, consul 8 times, restored the boundaries of the fields consecrated to Diana Tifatina by Cornelius Sulla according to the map of the god **Augustus**.

67.6. *EDH HD010504; AE 1971.80; De Franciscis 1966, 244.5.

(top:) P(raedia) D(ianae) T(ifatinae)

(face:) Imp(erator) Caesar / Vespasianus / Aug(ustus) co(n)s(ul) VIII / fines agror(um) / dicatorum / Dianae Tifat(inae) / a Cornelio Sulla / ex forma divi / Aug(usti) restituit

The Estates of Diana Tifatina. The emperor Caesar **Vespasian** Augustus, consul 8 times, restored the boundaries of the fields consecrated to Diana Tifatina by Cornelius Sulla according to the map of the god **Augustus**.

68. Dispute Over Lands Attributed to Zeus the Founder at Aizanoi

Date(s): AD 119-125

Three fragmentary boundary markers found in the vicinity of *Aizanoi* (mod. Çavdarhisar in Turkey) record the emperor Hadrian's restoration (*imperator* ... *restituit*) of the "boundaries given to Zeus the Founder and the *civitas* of the *Aezaniti* by Attalus and Prousias the kings" (*fines Iovi conditori et civitati Aezanitorum datos ab Attalo et Prusia regibus*). We are lucky in this case to be able to discover the circumstances of this restoration through a surviving dossier of related letters, inscribed on the walls of the temple of Zeus in *Aizanoi*. The restoration of the boundaries, which can be dated to AD 129, appears to have been the concluding act of a judicial saga that began at least as early as AD 119 and engaged two proconsuls of *Asia* and the emperor himself. Its consequence – the reestablishment of a steady revenue stream for the city, which seems to have administered the temple's funds – may have facilitated the promotion of Zeus' birth cult at *Aizanoi* and helped to finance the massive building projects of the Hadrianic and Antonine periods. The dispute stemmed from land distributions made in the early second century BC that

⁴¹² MAMA 9, xxxiii-xxxiv. The governor's letter (Text 1.1 explicitly indicates that resolution of the dispute will permit "the city to enjoy the revenues due to it" (ἵνα μὴ πάλιν τινὲς ἀ[μφισβητοῦντες περὶ τοῦ τέλους τοῦ] Βράδειον ἀπολαῦσαι τὴν πόλιν τῆς [προσηκούσης προσόδου παραίτιοι] γένωνται).

had dropped out of practice and certain knowledge in the intervening centuries, but whose financial consequences (i.e., lease payments to the temple) had recently been revived by unknown parties. This case illustrates very well the manner in which a **boundary dispute** could arise from another type of land dispute. It also illustrates the manner in which the course of a case, the availability of evidence and the strategies adopted by the litigants, could cause a single dispute to exhibit many of the characteristics of the different case classifications recognized by the *agrimensores*.

The temple dossier begins with a letter of the proconsul of Asia T. Avidius Quietus (AD 125-126), addressed to the magistrates, council and people, presumably of *Aizanoi* (Text 68.1). To it were attached several documents: a letter of the emperor Hadrian (Text 68.2) that addressed questions Quietus had raised in a previous letter (not extant), a letter written by Quietus to an imperial procurator named Hesperus requesting the investigation of relevant matters (Text 68.3), and finally Hesperus' reply to Quietus, never fully inscribed (Text 68.4).⁴¹³

This dispute centered on land near *Aizanoi* that had originally been donated to the temple of Zeus there by two Hellenistic kings, probably Attalus I and Prusias I. This land, divided into parcels called *kleroi*, seems to have been assigned originally to military or paramilitary colonists, with the result that the fees paid for leases (*vectigal*) were devoted to the god. By Hadrian's time, the payment of these fees was evidently long out of practice. Further, the pattern of landholding in the area had changed significantly, so that the original size of the *kleroi* could not be determined, and so that some landowners could argue that the land they held did not fall within the boundaries of the original allotment (i.e., they were not temple lands at all). These issues apparently arose because of an attempt (its origins obscure) to reinstate the *vectigal* associated with the original *kleroi*. It seems unlikely that the Romans in any way initiated this matter; rather, it most likely arose from competition between local elites who, unable to resolve the affair, brought it to the provincial governor for adjudication.

The first documented Roman engagement with the dispute occurred during the term of C. Trebonius Proculus Mettius Modestus (proconsul of Asia, AD 119-120). The details of the case are not extant, but he seems to have issued a verdict as to the rate at which the *vectigal* was

⁴¹³ The texts of the letters, accompanied by excellent English translations and authoritative commentary, are presented by B. Levick and S. Mitchell (MAMA 9, xxxvi-xliii), and in general I follow their presentation in the summary that follows here. They repeat the definitive texts (with minor changes) published by Laffi 1971, which should also be consulted. The quality and accessibility of this presentation – combined with the time limitations associated with production of the dissertation – have led me to omit reproducing the texts and translations here. MAMA does not provide a translation of the boundary markers, so I have proceeded with a full presentation of these. Relevant editions with commentary have also been published subsequent to MAMA 9: Mixed Language Inscriptions 166a-b and Bringmann 1995, 286-291.253.

to be calculated. Modestus' verdict did not resolve the matter, which next engaged T. Avidius Quietus (proconsul of Asia, AD 124-125). The complaint brought before Quietus seems to have centered on two issues of implementation. First, it seems that the size of the original *kleroi*, on which the amounts of the *vectigal* were to be calculated, could not be agreed. Secondly, there was disagreement over the date to which retrospective payments should be calculated.

It is clear that there was no intent to redistribute land or redemarcate individual *kleroi*. The idea was to determine the amount of area per original *kleros*, which could then be divided into the amount of *vectigal* fixed by Modestus, thereby producing a rate that could be applied to the existing landholdings. In the end, Quietus was unable to find convincing evidence for the original size of the *kleroi*. An imposed settlement to this issue was needed, and so he recommended to the emperor that the average size of *kleroi* in neighboring communities be used for the calculations needed at *Aizanoi*. Hadrian agreed, and a procurator was commissioned to conduct the investigation in the neighboring communities. Surveyors were deployed by the procurator to gather the information.

Hadrian's reply to Quietus, which in tone and scope compares favorably with the replies of Trajan preserved in Pliny's correspondence from *Bithynia*, also addressed the issue of retrospective payment. If there was no question as to the identification of property as part of the temple lands, then payment was to be calculated from the date of Modestus' earlier ruling. If there were some question, then calculation was to begin from the date of Hadrian's letter, even if subsequent legal action related to that identification were to take more time.

This last provision proved to be prescient (or the issue was already explicit), for the three boundary markers demonstrate that a subsequent survey and demarcation were needed in AD 129. This survey was evidently aimed at recovering the boundaries of the area that the kings had originally donated to the temple, and seems to have taken a written demarcation made by Prusias as its basis. On the basis of this demarcation, current landholdings could then be assessed to see if they fell within the area subject to the reinstated *vectigal*.

It is possible that the disputes over sacred land at *Aizanoi* were provoked by an imperial building project. The well-preserved temple of Zeus was constructed at this period. Just as

⁴¹⁴ It should be noted here that consultation of the emperor seems to have occurred on the governor's initiative. Having arrived at a stage in the dispute where precedents and locally available evidence had failed, Quietus was conscious that new law touching on an aspect of the case needed to be made: a specific solution to the problem of inadequate evidence needed to be imposed. He had an idea of how that should be accomplished, but sought the emperor's guidance and confirmation. This procedure compares favorably, and even illuminates, Pliny's correspondence with Trajan. It also suggests that, in other boundary disputes adjudicated by governors where the emperor's involvement or authority is cryptically invoked, a similar set of conditions obtained.

Augustus (and possibly later emperors) restored pre-existing sacred land of Artemis at Ephesus in order to fund major building projects there, Hadrian may have had a similar plan in mind.

- 68.1. *MAMA 9, xxxvi.A and 178.P1; Laffi 1971, 9.A.
- 68.2. *MAMA 9, xxxvii.B and 178.P2; Laffi 1971, 9.B.
- 68.3. *MAMA 9, xxxvii.C and 178.P3; Laffi 1971, 10.C.
- 68.4. *MAMA 9, xxxvii.D and 278.P4; Laffi 1971, 10.D.
- 68.5. *Mixed Language Inscriptions 166b; MAMA 9.9 note 4 = 178.P5; Laffi 1971, 10-11.E. See also: Bowersock 1991, 224.⁴¹⁵

Imp(erator) Caesar Traianus Hadrianus / Aug(ustus) p(ater) p(atriae) co(n)s(ul) III trib(unicia) pot(estate) XIII fines Iovi c[on]/[di]tori et civitati Aezanitorum datos / [a]b Attalo et Prusia regibus restitu/[it mensuram agente] Septimio Sat/⁵urnino primipilare (sic) sicut Prusi/as rex egerat

Αὐτοκρ[άτορ Καῖσαρ] Τραιανὸς Ἡδρ/ιανὸς Σεβαστὸς [πάτηρ πατρ]ίδος / [ὕ]πατος [τό γ' δημαρχι]κῆς ἐξους/[ίας τ]ό ιγ' [χώρας Διὶ κτίστη καὶ] πό/[λει] Αἰζ[ανιτῶν δοθεί]σας ὑπὸ ᾿Ατ/⁵[τάλου καὶ Προυσίου] Βασιλέων ἀ[ποκατέστησεν μετροῦ]ντος [Σεπτι]/[μίου Σατουρνείνου] πρειμουπι/[λαριόυ καθὼς Πρου]σίας / Βασιλεὺς [ἤρξ]ατο

The emperor Caesar Trajan **Hadrian** Augustus, father of the country, consul 3 (times), (holding the) tribunician power 13 (times) restored the boundaries given to Zeus the Founder and the city of the *Aezaniti* by Attalus and Prusias the kings, a survey having been made by Septimius Saturninus *primus pilus* just as King Prusias had laid it out.

68.6. AE 1989.702; *Mixed Language Inscriptions 166a; MAMA 9, 4-5.8 (C8). See also: Bowersock 1991, 224.

[Imp(erator) Caesar Traianus Hadrianus] Aug(ustus) p(ater) p(atriae) / [co(n)s(ul) III trib(unicia) pot(estate) XIII fines Iovi co]ndito[ri] / [et civitate Aezanitorum dato]s ab At[talo] / [et Prusia regibus restituit] mens[uram] / [agente Septimio Saturni]no primipila/s[ri sicut Prusias rex egerat]

[Αὐτοκράτορ Καῖσαρ Τρ]αιανὸς 'Αδρια/[νὸς Σεβαστὸς πάτηρ] πατρίδος ὕπα/[τος τό γ' δημαρχικῆς ἐξ]ουςίας τό ιγ' / [χώρας Διὶ κτίστη καὶ π]όλει Αἰζανι/[τῶν δοθείσας ὑπὸ 'Ατ]τάλου καὶ Πρου/⁵[σίου Βασιλέων ἀποκ]ατέστησεν με/[τροῦντος Σεπτι]μίου Σατουρνεί/[νου πρειμουπιλαριόυ κ]αθὼς Προυσίας / [Βασιλεὺς ἤρξατο]

See Text 68.5.

⁴¹⁵ Kearsley (Mixed Language Inscriptions 166b) has corrected *civitate* to *civitati* in line 3 where the MAMA editors erroneously changed the form from the dative recorded by Laffi. The same editors supplement Text 68.6 in line 3 with the dative form. Kearsley prefers *mensuram agente* in line 5 as opposed to *mensuris actis* (compare Instance 65).

68.7. *MAMA 9, 5.9 (C9).

----- / [ὑπὸ ἀττάλου καὶ Προ]υσίου / [Β]ασιλέων [ἀποκατέστησε] με/τροῦντος Σ[επτιμί]ου Σατουρ/νείνου πρειμ[ι]πιλαρ[ι]όυ καθώ[ς] /5 καὶ Προυσίας Βασιλεὺς ἤρξατο

See Text 68.5.

Other Types of Land Disputes

69. Dispute between the Falerienses and the Firmani concerning subsectiva

Date(s): AD 81

An inscription on bronze records a land dispute in the area of *Falerio* (mod. Falerone in Italy). It can be dated to the reign of Domitian by imperial titulature and a consular date formula. The text preserves an imperial rescript to the *Falerienses*, communicating Domitian's verdict (*cognita causa pronuntiavi quod suscriptum est*) concerning their dispute about subseciva with the people of nearby *Firmum Picenum* (mod. Fermo).

This document reveals an important difference in the emperor's handling of boundary disputes as compared with other types of land disputes. It is particularly instructive to compare this rescript with the Vespasianic rescript issued to the Corsican Vanacini in their boundary dispute with the Roman colony of *Mariana* (mod. La Canonica). ⁴¹⁶ In Domitian's case, the dispute involved not the location of borders, but the rights to *subseciva*, portions of land that had not been distributed individually to colonists during the centuriation and land distribution associated with the foundation of the colony. The *Firmani* challenged the right of citizens of Falerio to occupy and farm these subseciva, a right the Falerienses felt they maintained by virtue of a grant from their colony's founder, the emperor Augustus. Lands that had been distributed to individual colonists during the colonial foundation would have been transferred by formal title, and so were susceptible to documentary proof. The assignment of these plots would have been recorded on the bronze forma prepared by the surveyors. If subsequently transferred to another owner, there should have been written documentation of that transfer. But under Roman law, ownership of land could be procured without title by occupying land not susceptible to title for a period of time (possessio by usucapio). No formal documentation would be available in such circumstances. 417

Domitian was not impressed with the argument of the *Firmani*. He gives two reasons for ruling in favor of the Falerienses as *possessores*. The first reason arises from the law of *possessio* itself. Domitian ruled that the *possessores* had been occupying and using the land far longer than the minimum time necessary to obtain ownership rights according to the law. His verdict

⁴¹⁶ Instance 25.

⁴¹⁷ *Subseciva*, colonial foundation and associated records: Moatti 1993, 35-36, 54-55, 119-122 and 135, Campbell 1996, 86-98.

expresses irritation that the *Firmani* even tried to raise the issue, given the provisions of the law and the amount of time the *Falerieneses* had been on the land.

Domitian's expressed irritation aside, it is not entirely surprising that a community might, at this period, seize upon the question of *subsectiva* as an opportunity to forward a rivalry or gain an advantage over a neighboring community. There is ample documentation for a project of Vespasian that was intended to increase imperial revenue by reasserting the long-neglected rights of the Roman people to perpetual ownership of *subsectiva* that had not been granted to colonists or to the pre-colonial communities from whom the land had been confiscated originally. This arrangement would have required the current occupiers of the land to vacate it, or purchase for its continued use a perpetual lease from the state. Domitian – confronted by widespread opposition – is said to have ultimately dropped the project and granted the land in question to its occupiers.

Domitian's second reason was based on interpretation of a document, presumably presented by the *possessores*. It was a letter of Augustus to the veterans of the fourth legion (*Quartani*), ⁴¹⁹ in which he admonished them to gather up and sell the *subseciva*. Domitian does not need this piece of evidence in order to rule in favor of the Falerienses; the argument from the law is sufficient. But he brings it in anyway, in part to underline his displeasure with the *Firmani*, observing that he had no doubt that the veterans observed so salutary an admonition.

Why does Domitian feel comfortable making this ruling himself, when Vespasian had delegated final authority to the provincial governor in the case of the Corsican dispute? Though he lacks a governor to depend on for cases in Italy, he could easily have followed Claudius' example and assigned an *amicus* to handle the case. Apart from considerations of each emperor's individual style, the two cases revolve around different legal issues. In the case of the *Firmani* and *Falerienses*, the location and delineation of the *subseciva* do not appear to have been in dispute. Everyone involved presumably knew and accepted the boundaries that defined the

⁴¹⁸ Campbell 2000, 39.21, 41.35-42, 89.46-91, 99.26-27, and 131.20-21. I am grateful to M. Johnson for the collation of these citations from the *corpus agrimensorum*. It would be a mistake to connect this project with contemporaneous epigraphic sources addressed inthis dissertation, including: the restoration of sacred land to the temple of Diana Tifatina in *Campania* (Instance 67), the restoration of public lands to *Pompeii* (Instance 65), the restoration of Roman public lands in *Cyrenaica* (Instance 62), and the restoration of the public lands of *Canusium* (Instance 66). In none of these cases is *subseciva* mentioned, and in only one case (*Cyrenaica*) are the lands in question attributed to the *populus Romanus*. The other cases involved land that either belonged traditionally to the communities in question (a Roman confirmation thereof assumed), or that had been granted by the Romans to those communities already. In these situations, the emperor was assisting the communities in regaining for themselves their own public lands and the revenue associated with them.

⁴¹⁹ Both the OLD and Lewis and Short recognize this usage. Tac. Hist. 4.37 provides a fine example of the usage: *Dein mutati in paenitentiam primani quartanique et duoetvicensimani Voculam sequuntur* ... (Then, repenting their action, the men of the First, Fourth and Twenty-second legions followed Vocula).

subseciva. The use of the term implies a centuriated area, which ought to have been well-marked and documented. The dispute was over who had the right of ownership and use. The Corsican dispute, on the other hand, involved the actual or purported location of borders themselves. Resolution of the dispute would have involved confirming that boundary markers dividing the two cities' territories were in the correct place, and restoring them if they were not. On Corsica, the governor, aided by the surveyor Vespasian had sent, would have had to identify and validate relevant documentation (maps, *determinationes*, extant boundary markers) in order to properly redemarcate the boundaries. Boundary disputes required extensive intervention on site. Other types of land disputes did not. 420

69.1. *CIL 9.5420.

Imp(erator) Caesar divi Vespasiani f(ilius) / [[Domitianus]] Augustus / pontifex max(imus) trib(unicia) potest(ate) imp(erator) II / co(n)s(ul) VIII desig(natus) VIIII / p(ater) p(atriae) salutem dicit /5 IIIIviris et decurionibus Faleriensium ex Piceno / quid constituerim de subsicivis cognita causa / inter vos et Firmanos ut notum haberetis / huic epistulae subici iussi / P(ublio) Valerio Patruino [[3]] co(n)s(ulibus) /10 XIIII K(alendas) Augustas / Imp(erator) Caesar divi Vespasiani f(ilius) [[Domitianus]] / Aug(ustus) adhibitis utriusque ordinis splen/didis viris cognita causa inter Fale/rienses et Firmanos pronuntiavi quod /15 su(b)scriptum est / et vetustas litis quae post tot annos / retractatur a Firmanis adversus / Falerienses vehementer me movet / cum possessorum securitati vel mi/20 nus multi anni sufficere possint / et divi Augusti diligentissimi et in/dulgentissimi erga quartanos suos / principis epistula qua admonuit / eos ut omnia sub{p}siciva sua collige/25 rent et venderent quos tam salubri / admonitioni paruisse non dubito / propter quae possessorum ius confirmo / valete d(iem) XI K(alendas) Aug(ustas) in Albano / agente curam T(ito) Bovio Vero /30 legatis / P(ublio) Bovio Sabino / P(ublio) Petronio Achille d(ecreto) d(ecurionum) p(ublice)

The emperor Caesar, son of the divine Vespasian, **Domitian** Augustus, pontifex maximus, (holding the) tribunician power, (saluted as) imperator 2 times, consul 8 times, consul-designate for the 9th time, father of the country, sends greetings to the quattuorviri and decurions of the *Falerienses* from *Picenum*. I have attached to this letter what I have ruled concerning the *subseciva*, now that the case between you and the *Firmani* has been investigated, in order that you may have knowledge (of it).

(Dated:) when Publius Valerius Patruvinus and [[------]] were consuls, fourteen days before the kalends of August. I, the Emperor Caesar, son of the divine Vespasian, **Domitian** Augustus, now that both splendid orders of men have been consulted and the case between the *Falerienses* and the *Firmani* has been investigated, I have proclaimed that which is written below:

⁴²⁰ See further discussion at Instance 24.

First, the age of the quarrel, which after so many years has been brought back by the *Firmani* against the *Falerienses*, moved me greatly since far fewer years would have been sufficient for the security of the occupants. Second, (I was moved greatly by) the letter of the divine and most indulgent princeps **Augustus** to his own *Quartani* in which he admonished them that they should collect and sell all their own *subseciva*, (which *Quartani*), I do not doubt, obeyed so beneficial an admonition. On account of these factors, I confirm the rights of the possessors.

Farewell. (Dated:) 11 days before the Kalends of August. At the Alban (villa).

Titus Bovius Verus had the charge of it. Publius Bovius Sabinus and Publius Petronius Achilles were the envoys. Placed by decree of the decurions.

70. Dispute between *Delphi* and *Thessalia* over a harbor

Date(s): AD 125

In a letter inscribed on the wall of the temple of Apollo at *Delphi*, the emperor Hadrian communicated a number of legal decisions concerning the conduct of the Pythian games and the organization of the Delphic Amphictyony, issues which had evidently been brought before him at some earlier date. In addition to other matters, the emperor made a partial ruling in a dispute between the Delphians and the Thessalians over the control and operation of a harbor.

Hadrian acknowledged that the Delphians had already proved that they had purchased some (evidently related) land (δόντες ὑπὲρ τῆς χώρας) from the emperor Vespasian for a sum of 30 talents. In order to "ensure that (the Delphians) might have [title to both the] harbor and the pasturages (or districts? = τῶν νομῶν) and [title] in every respect", Hadrian assigned the otherwise unknown Claudius Timocrates to collect and send to him a number of Amphictyonic decrees which were "in conflict with one another or with the laws of society, in order that an investigation also of these (might) be made." It is not unreasonable to assume that the existence of such conflicting documents was an extenuating circumstance raised by Thessalian representatives arguing the case before Hadrian once it became clear that the Delphians could prove title at least to the land in question. Nothing more is known of this matter, but surely, had Hadrian issued later favorable rulings in the case, these too would have been inscribed on the wall of the temple. Fragments of other letters of Hadrian to *Delphi* do survive, but these are too fragmentary to permit an assessment of their content.

The case in question is not necessarily a boundary dispute. Ownership of land and a harbor, combined with the right to operate (and presumably profit from) the harbor were initially contested. It is possible that the problematic Amphictyonic decrees may have touched on boundary matters, and might then have led to the need for adjudication of boundaries on site, the dispatch of a surveyor, or similar measures.

70.1. *FD 3.4.302; Oliver 1989 no. 75.

Grants of Land and the Assignment or Restoration of Boundaries

71. Boundaries assigned to the *Suburbures*

Burton 2000, no. 56

Date(s): AD 116-117

Two identical boundary inscriptions from an area to the northeast of mod. Chott-el-Beida⁴²¹ in Algeria record the assignment of boundaries to the *Suburbures*. These markers help localize the western end of their attested area.⁴²² The demarcation was effected by the imperial legate in command of *Legio III Augusta*, T. Sabinius Barbarus. He acted under the authority of the emperor Trajan (*ex auctoritate imperatoris*). The reason for this boundary assignment is obscure, but should be compared to Instance 73, the assignment of boundaries under Hadrian to the *gens Numidarum*.

71.1. *EDH HD033387; ILS 9381; AE 1904.144; Cagnat 1903, 99.I.

ex auctoritate / Imp(eratoris) Caesaris di/vi Nervae f(ilii) Nerv[ae] / Traiani optimi / Aug(usti) Germ(anici) Dac(ici) /⁵ [P]arthici fines / adsignati gen[ti] / Suburburum pe[r T(itum)] / Sabinium Barba[rum] / leq(atum) Auq(usti) pro pr(aetore)

By the authority of the emperor Caesar, son of the divine Nerva, Nerva **Trajan**, the best, Augustus, Germanicus Dacicus Parthicus. Boundaries assigned to the people of the *Suburbures* through Titus Sabinius Barbarus, propraetorian imperial legate.

71.2. *ILS 9380; Cagnat 1903, 99.II.

ex aucto[ritate] / imp(eratoris) Caes(aris) divi [Nervae f(ilii)] / Nervae Traiani O[ptimi] / Aug(usti) Ger(manici) Dacic(i) Part[thic(i)] / [fi]nes adsignati gent[i] / [S]uburburum per T(itum) Sa[bi]/nium Barbarum leg(atum) / Aug(usti) pro pr(aetore)

See Text 71.1.

⁴²¹ The Chott el-Beida is a seasonal wetland, shown but not labeled at BAtlas 31 D4 (just below "B" in "SUBURBURES." Also in 34 D2, upper right quadrant, south of label "MUSONI". See also AAA F.16 "Sétif" (extreme lower right) and F.26 "Bou Taleb" (upper right), where it is labeled.

They are reasonably well attested in both literary and epigraphic sources and, like many large tribal groupings in this area, seem to have consisted of many sub-tribes and small clans. Their localization seems to have moved over the course of the Roman period, and they may have experienced a transition from mixed transhumance and farming to a more sedentary agriculturalism. See Desanges 1962, 135-136.

72. A Hadrianic Benefaction to Thracian Abdera

Burton 2000, no. 62

Date(s): AD 117-138

Two inscriptions from the area of *Abdera* (mod. Avdira in Greece) would seem to attest to a *beneficium* of the emperor Hadrian. The people of *Abdera* placed these inscriptions, whose texts differ, to record their gratitude to Hadrian for restoring their ancestral boundaries "all the way to the river *Nestos*." The context of this restoration is obscure, but it may have come at the expense of *Thasos*, which controlled a *peraea* (itself of ancient origins) on the Thracian mainland. Definition of the many series of the expense of the expe

72.1. *AE 1937.171; Bakalakis 1937, 29.425

[Αὐτοκρ]άτ[ορα Τραϊανὸν] / Ἡδριανὸν [Καίσαρα Σεβα]/στὸν μεγίστω[ς εὐ]ν[οηθεῖσα] / ἡ Ἡδριανέων [Ἡβδηρειτῶν πόλις] / ἐπὶ τῶν ὅρῶν ε[ὑχαριστίας ἔνεκεν] /⁵ ἀπολαβοῦσα τὴ[ν ἰδίαν γῆν τῆ] / ἐκείνου προνοί[ᾳ καὶ τοῦ πεμφθέν]/τος ὑπ' αὐτοῦ [-------] / Ἡγρίππα πρεσβευτοῦ.

(Thinking highly?) of the emperor (Trajan) **Hadrian** (Caesar) Augustus, the greatest, the (city) of the Hadrian (*Abdereitoi*) (erected this monument) (because of gratitude) for the boundaries, having recovered (their own land) through his foresight and that of the legate he (sent) Agrippa.

72.2. *Smallwood 1966 448; AE 1937.170; Bakalakis 1937, 26. 426

Αὐτοκράτορι Καίσα[ρι] / θεοῦ Τραϊανοῦ Παρθ[ι]/κοῦ υἱῷ θεοῦ Νέρουα υ[ί]/ωνῷ Τραϊανῷ Ἡδριανῷ / Σεβαστῷ Ζηνὶ Ἐφορίῷ / ἡ Ἡδριανέων Ἡβδηρειτῶ[ν] / πόλις ἐπὶ τῶν ὅρων ἀπολ[α]/βοῦσα τὴν ἰδίαν γῆν διὰ / τὴν οὐράνιον αὐτοῦ πρό/νοιαν εὐχαριστίας ἕνεκεν / ιο διατεθέντων μέχρι ποτα/μοῦ Μέστου

⁴²³ For discussion in the context of Hadrian's civic benefactions (and other possible land grants) see, Boatwright 2000, 85. The *beneficium* is probably also recognized in the city's adoption of the title "Hadriane," reflected in other inscriptions and coinage (Boatwright 2000, 105).

⁴²⁴ At least one imperial-era boundary marker associated with it has been found, about 10 km to the west of the *Nestos* (not in situ, see Instance 88, AD 101). A letter of a governor of *Thracia* to the city of *Thasos* may also relate to affairs in the *peraea*, including a territorial dispute with *Philippi* (see Instance 18, AD 69-79).

⁴²⁵ The text published in AE was apparently never completed (it lacks accents and breathing marks), and does not match the text published by Bakalakis (who supplied accents and breathing marks; the supplements in the two editions also differ). I have adopted the supplements suggested by AE where the abbreviated titulature of Hadrian occurs, at the beginning of the text, in the accusative case.

⁴²⁶ 1. 5: Hadrian is here assimilated to Zeus Ephorios (Zeus of the Frontiers), Boatwright 2000, 85. 1. 12: Μέστου is evidently a misspelling of Νέστου, i.e., the river *Nestos* (mod. Mesta), which debouched into the Thracian Sea about 15 km west of *Abdera*.

To the emperor Caesar, son of the god Trajan, grandson of the god Nerva, Trajan **Hadrian** Augustus Zeus of the Borders, the city of the Hadrianic *Abdereitoi*, having recovered their own land through his heavenly foresight, because of gratitude for the establishment of the boundaries, all the way to the river *Mestos*.

73. Boundaries Assigned to the gens Numidarum

Burton 2000, no. 60

Date(s): ca. AD 137

Two boundary inscriptions from the area of el-Guerria in Tunisia attest to the **authoritative demarcation** of boundaries that had been assigned to a *gens Numidarum*.

These boundary markers are unique in attributing a boundary demarcation to the *indulgentia* of an emperor, in this case Hadrian. We would normally expect the phrase *ex auctoritate imperatoris*. The area where the markers were placed may have been part of an imperial estate, and the demarcation has been interpreted as an effort by imperial authorities to regulate the timing and paths of seasonal transhumant migrations. ⁴²⁷ On these grounds, the area demarcated may have constituted seasonal pasture, or even a staging area for such migrations. Attributing the arrangement to the emperor's indulgence represents it as a *beneficium*, perhaps granting access to resources that might otherwise be inaccessible. ⁴²⁸ Whether members of the *gens Numidarum* will have seen the matter in this way (or even have been able to read the text on the markers), we cannot know.

73.1. *EDH HD021755; ILS 5960; CIL 8.8814.

ex indulgen/tia Imp(eratoris) Caes(aris) Had/riani Aug(usti) fines / adsignati gen{n}ti Numidarum / per C(aium) Petroni/⁵um Celerem / proc(uratorem) Aug(usti) pro(vinciae) / [M(auretaniae) C]aes[ariens(is)]

By the indulgence of the emperor Caesar **Hadrian** Augustus: boundaries were assigned to the *gens Numidarum* through Caius Petronius Celer, imperial procurator of the province of *Mauretania Caesariensis*.

73.2. *CIL 8.8813.

[e]x indulgenti[a] / [i]mp(eratoris) Caes(aris) Traia[ni] / Hadriani Aʿuʿ[g(usti)] / fines adsigna/ti genti Numida/⁵rum / per C(aius) Pet[ro]/nium Celerem / proc(uratorem) Aug(usti) proʿvʿ[inc(iae)] / Mauritaniae Cae[sa]/¹⁰rʿienʾsis

⁴²⁷ Whittaker 1978, 353.

⁴²⁸ Note the demarcation intended to communicate explicit prohibition against use of a *castellum*, also probably involving a transhumant or semi-nomadic people: Instance 94.

74. Assignment of Fields, Pastures and Springs in North Africa

Burton 2000, no. 58

Date(s): AD 197-201

A single boundary marker from modern Bled Goursi el-Tahtani in Algeria attests to the assignment of "fields, pastures and springs" to a party or parties whose name is lost. This **authoritative demarcation** was carried out by two individuals, one whose title (if any) is lost, the other a *cornicularius* of an unnamed prefect (unless the preceding individual was the prefect himself). They acted on the order of the commander of *Legio III Augusta*. The legionary legate was, in turn, acting in accordance with the authority of the three *Augusti*, Septimius Severus, Caracalla and Geta. The actual demarcation was effected by an *evocatus* of the legion, presumably a surveyor.

The spatial context of this inscription, combined with the character of the items assigned, evokes the importance of resources for the maintenance of livestock in marginal areas of Roman North Africa. Although the content of the inscription cannot prove that the demarcation was carried out in response to a dispute, it is entirely reasonable to assume that the agenda may have been to manage relations between nomadic herdsmen and more sedentary agriculturalists in this area. On those grounds, it should be compared to three other instances of boundary assignment in North Africa, as well as a prohibition against use of a *castellum* on the part of an indigenous group who probably practiced transhumance.

74.1. *EDH HD022309; AE 1946.38; Leschi 1957a. 431

ex auctoritate Imppp(eratorum) / Caes(arum) L(uci) Septimi Severi et / M(arci) Aurelii Antonini et P(ubli) Sep/timi Getae Auggg(ustorum) agri et / pascua et fontes adsi/⁵gnata [[---MA]]/[[---curantibus]] Epag/atho et Manilio Caeci/liano corniculario / praef(ecti) iussu Anici Fa/¹⁰usti leg(ati) co(n)s(ularis) per M(arcum) Gennium / Felicem evocatum / leg(ionis) III Aug(ustae)

⁴²⁹ Whittaker 1978, 351.

⁴³⁰ Instances 71, 73, 76 and 94.

⁴³¹ Faustus' dates (AD 197-201) as legate in command of *Legio III Augusta* are secured by a large number of inscriptions (see literature cited in the Prosopographical Index). The attribution of the title Augustus to Geta in this inscription is an error. An civic decree of Athens proves conclusively that Geta was not officially named Augustus until October or November of 210 (IG2.2.1077; see: Birley 1988, 186-187 and 218.22).

By the authority of the emperors Caesar Lucius **Septimius Severus** and Marcus Aurelius Antoninus (**Caracalla**) and Publius Septimius **Geta**, the (three) Augusti, fields and pastures and springs assigned ... with Epagathus and Manilius Caecilianus, *praefectus cornicularius* taking care of the matter, by order of Anicius Faustus, legate and *consularis*, through Marcus Gennius Felix, *evocatus* of *Legio IIII Augusta*.

75. Restoration of Boundaries and Immunity of the *Thudedenses* by the Severi

Date(s): AD 202

Boundary restoration with no direct evidence of a dispute.

An inscription from the area of *Tipasa* on the North African coast records the restoration of borders associated with a fortified community (*castellum*) belonging to the otherwise unknown *Thudedenses*. The text is datable, by the imperial titulature of Septimius Severus, to sometime after 28 January AD 198, when the emperor assumed the title *Parthicus maximus*, and made Caracalla Augustus and Geta Caesar. It seems most likely that the text refers to an event occurring in AD 202, when the entire imperial family was in North Africa and the emperor was personally leading a campaign against desert peoples in the area beyond *Tripolitania*.

It would appear that an embassy of the *Thudedenses* met the imperial trio while they were in North Africa and presented them with a petition. They were seeking the restoration of borders and an (associated?) immunity from taxation that had originally been conferred on them by King Juba II, somehow linked to an oath sworn to (or by) the emperor Augustus himself. It is not clear whether a border dispute with a neighboring community led to the appearance before the emperor, or whether the *Thudedenses* just seized upon the emperor's presence as an opportunity to seek a *beneficium*.

The text does not explicitly record the reason why the borders needed restoring, but it is clear from the phrase *post multis maximisque saeculis* that it had been a long time since they had been observed. The concomitant question of immunity may provide an additional clue. It is possible that the original *territorium* of the *castellum Thudedensium*, along with the original tax immunity, had been revoked or ignored by subsequent emperors, governors or imperial tax officials. A significant reduction in territory would have meant a corresponding reduction in taxable

⁴³² It would be helpful for a future paper to review what we know about Severus' activities in North Africa in 202, whether and to what degree he toured the various provinces there, and how close he might have come to *Tipasa*. This inscription may indicate that the imperial family, including the emperor, were present at *Tipasa*.

⁴³³ This interpretation of the odd phrase *coniuriationem divi Aug(usti)* in lines 8-9 relies upon an improved reading and explanatory analysis: Desanges 1994.

agricultural capacity. Combined with the revocation of immunity, the increase in tax burden on the community may have been substantial, thereby explaining the community's interest in returning to the Augustan arrangement. That they still knew of the Augustan arrangement after "many very great ages" is in itself impressive.

The grant of *beneficia* such as these is in keeping with Severus' behavior in North Africa during 202. He is known to have granted the *ius italicum* to *Lepcis*, *Carthage* and *Utica*. ⁴³⁴ Of course, the inscription does not record the names of any parties (other communities, imperial or private estates?) that might have been diminished or might have incurred new local tax obligations as a consequence of the *Thudedenses*' good fortune.

Given that the emperor was prepared to grant the request of the *Thudedenses*, how were the old borders to be identified for restoration? It is possible that *termini* had been placed in Augustus' day, but if the borders had been diminished by official action, these would probably have been removed. The *Thudedenses* had a solution for the problem. They were able to produce, either from their own records or from some imperial archive, a *determinatio saeculi*, which I take to mean a *determinatio* "from the (former) age." The *Thudedenses* located a copy of an official survey description, of the type already discussed, delineating the borders granted them by Juba II! If this interpretation is correct and the *determinatio* was genuine, it means that either the community or the imperial government had stored the document for as much as 200 years, and that someone was able to locate and produce that document from the archive after all that time.⁴³⁵

75.1. *EDH HD002921; AE 1985.972; Bouchenaki 1977. See also: Desanges 1994.

Imp(erator) Caes(ar) L(ucius) Sept(imius) Severus Pius / Pert(inax) Aug(ustus) Arab(icus) Adiab(enicus) Part(hicus) max(imus) / pont(ifex) max(imus) p(ater) p(atriae) et Imp(erator) Caes(ar) M(arcus) Aure/lius Antoninus Pius Aug(ustus) Arab(icus) / Adiab(enicus) Part(hicus) max(imus) p(ater) p(atriae) [[et P(ublius) Sept(imius) Geta]] / [[---]] castellanis Thude/densibus fines et immunitatem / a rege Iuba per coniurationem / divi Aug(usti) concessos post / [m]ultis maximisque saecu/10 felicissimis temporibus / suis divino iudicio restituerunt / Thude(de)nses determinatione s(a)e/culi terminos posuerunt / et ded(icaverunt) felic(iter).

The emperor Caesar Lucius **Septimius Severus** Pius Pertinax Augustus Arabicus Adiabenicus Parthicus Maximus, pontifex maximus, father of the country and the Emperor Caesar Marcus Aurelius Antoninus [Caracalla] Pius Augustus Arabicus Adibenicus Parthicus Maximus, father of the country and Publius Septimius Geta – after a long and great age, in these happy times, through their divine verdict – they restored to the *castellani Thudedenses* the boundaries and immunity given to them by King Juba with the oath of the divine **Augustus**. The *Thudedenses* placed the *termini* in accordance with a *determinatio* of that age and dedicated them auspiciously.

⁴³⁴ s.v. Septimius Severus, Lucius, OCD³ by A. Birley.

⁴³⁵ Compare the antiquity of evidence consulted by Nigrinus (Instance 39).

76. Field boundaries assigned to the Kasturenses

Date(s): AD 222-235

A single boundary marker dating to the reign of Severus Alexander records a boundary assignment of some kind. The assignment was carried out by an otherwise unknown procurator of the *ratio privata* in the province of *Mauretania Caesariensis*, and involved an otherwise unknown people called the *Kasturrenses*. The assignment probably involves a lease or other administrative or fiscal arrangement in the context of the operation of an imperial estate.

76.1. CIL 8, 1946; *ILS 5965; CIL 8.8812.

D(omino) n(ostro) imp(eratore) Cae(sare) M(arco) Aurelio Severo Alexandro pio felice Aug(usto) termina[t](iones) [a]grorum defeni[t]ionis (sic) Matidiae adsignantur colonis Kasturrensi(bus) iussu v(iri) e(gregii) Axi Aeliani proc(uratoris) Aug(usti) r(ationis) p(rivatae) per Cae(lium) Martiale(m) agrimensore(m).

(During the reign of?) our lord the emperor Caesar Marcus Aurelius Severus Alexander Pius Felix Augustus. Markers defining the field boundaries of Matidia assigned to the *coloni Kasturrenses* by order of Axius Aelianus, *vir egregius*, procurator of Augustus over the ratio privata through Caelius Martialis, surveyor.

Other Authoritative Demarcations

77. Authoritative Demarcation of the Boundaries of the regio Palmyrena

Date(s): ca. AD 13-17

See Instance 35.

78. Restoration and Renovation of Boundary Markers at Ostippo

Date(s): AD 49

A single inscribed document from *Ostippo* (mod. Estepa in Spain), now lost, attests to the restoration and renovation of boundary markers associated with *agri decumani* during the reign of Claudius. The *agri decumani* appear to have been public land of the Roman people, leased in perpetuity by the censors to provincial communities in return for a tenth of the proceeds on the land. No explanation is provided by the document for the restoration, the completion of which is left in the hands of the *Ostipponenses* themselves. The coincidence of Claudius' censorship may be related, but the details are obscure. There is no evidence of a dispute, nor of a land grant. This may simply be a matter of repair in order to facilitate accurate assessment of the vectigal. The original lease of the land is imagined by the editors to date to the time of Iulius Caesar or of Augustus.

78.1. *EDH HD031451; CIL 2².5.994; ILS 5971; CIL 2.1438.

[Ti(berio) Claudio Drusi f(ilio)] / [Caes(are) Aug(usto) Germanico] / po[nt(ifice)] max(imo) trib(unicia) [po]/tes[t(ate) VIIII?] p(atre) p(atriae) imp(eratore) XVI / co(n)s(ule) II[II ce]nsore te/5rmin[i] agror(um) decu/manor(um) [resti]tuti et / novat[i] Q(uinto) Veranio / C(aio) Pompeio Gallo co(n)s(ulibus) / f(aciundum) c(uraverunt) O[s]tip(ponenses)

When Tiberius **Claudius**, son of Drusus, Caesar Augustus Germanicus, pontifex maximus, (held the) tribunician power for the 8th(?) time, (was) father of the country, (had been saluted as) imperator 16 (times), (and had been) consul 4 times (and) censor, the boundary markers of the *agri decumani* were restored and renovated. (When) Quintus Veranius and Gaius Pompeius Gallus were consuls, the *Ostipponenses* had charge of carrying out the work.

⁴³⁶ CIL 2².5.994 (A. Stylow and J. González Fernández), with references.

79. Boundary Demarcation Between Sagalassos and Tymbrianassos

Burton 2000, no. 43

Date(s): AD 54-55

A **possible boundary dispute** between the city of *Sagalassos* and a nearby village on an imperial estate.

As many as seven nearly identical boundary markers survived into the modern era to attest the resolution of what was probably a dispute between the prominent city of *Sagalassos*, which lay within the province of *Galatia*, and the neighboring community of *Tymbrianassos*, which was situated within the bounds of an imperial estate. According to the text of these markers, the decision in the case was authorized by a letter (not extant) of the emperor Claudius, who thereby presumably delegated authority for setting the border jointly to the governor (Petronius Umber) and an imperial procurator (L. Pupius Praesens).

Claudius is described in the text as $\theta \epsilon \delta \zeta$ (god). Taking this together with Nero's titulature in the magistrates' titles, most commentators date the boundary action to the early years of Nero's reign (AD 54-55). The inscriptions also record the provision that a fifth part of the *usufruct* on the land belonging to *Tymbrianassos* was owed to *Sagalassos*.⁴³⁸

G. Burton has cited these documents as evidence in support of his argument that the Roman provincial administration, "characterised by a substantial deficit of administrative resources" occasionally used "procurators for non-fiscal functions." In particular, he takes these texts (from an imperial province) as "analogous examples" to others culled from proconsular provinces wherein procurators exercised judiciary authority in cases that ought to have required a governor's involvement. Burton is of course aware that "the duties of the junior procurators who ran large patrimonial areas within a province no doubt always extended ... to the solution of any communal disputes which might have arisen." Accordingly, he rightly exempts from consideration the placement of *termini* by a freedman procurator near *Synnada* in *Phrygia* on the grounds that the land involved was probably patrimonial, i.e., part of an imperial estate over

⁴³⁷ The estate appears to be otherwise unattested, unless a cryptic boundary marker labeled *finis* / *Caesaris* / *n(ostri)* was related to it (see Mitchell 1976, 117-118 = CIL 3 Supp. 6872 cf. 12147 = ILS 5967).

⁴³⁸ The most recent and comprehensive discussion is Horsley 1998, whose treatment and identification of the various texts and editions I follow below.

⁴³⁹ Burton 1993, 25-26 with 20-21.

⁴⁴⁰ Burton 1993, 20.

which the procurator had administrative authority. Hut when it comes to the boundary markers near *Sagalassos*, Burton seems to have missed the significance of the full title given by the texts to what he describes simply as the "village of Tymbrianassus:" κώμη Τυμβριανασσέων Νέρωνος Κλαυδίου Καίσαρος Σεβαστοῦ Γερμανικοῦ (the village of the *Tymbrianasseoi* of Nero Claudius Caesar Augustus Germanicus). The clear implication of this phraseology – as pointed out by these texts' editors – is that the village lay within the boundaries of an imperial estate. It is therefore not at all surprising, *pace* Burton, that we should find the procurator involved.

In fact, these documents reinforce what emerges as a basic principle in Roman adjudication of boundary disputes; namely, that whoever judged the case required judiciary authority over all parties to the case. Neither the governor nor the procurator alone fulfilled this requirement because the boundary in dispute between the two communities was identical with the boundary between the imperial estate and the surrounding province. The lack of an obvious official who embodied the requisite judiciary authority necessitated an approach to the emperor (the next higher authority with sufficient competence), whence Claudius' letter delegating the case to a board of two who, together, possessed the necessary span of authority. It is clear from other examples involving disputes over boundaries between provinces that the emperor could also have chosen to appoint a special legate as *iudex* in the case.

79.1. *Horsley 1998.

ἐξ ἐπιστολῆς Θεοῦ / Σεβαστοῦ Γερμανικοῦ / Καίσαρος Κοίντος Πε/τρώνιος Οὖμβερ πρε/σβευτὴς καὶ ἀντισ/⁵{τισ}τράτηγο⁻ς⁻ Νέρω/νος Κλαυδίου Καίσ/αρος Σεβαστοῦ Γερ<μανικου> / καὶ{σαρος} Λούκ[ι]/ος Πούπιος Πραίσης /¹⁰ [ἐπί]τροπος Νέρωνο/ς Κλαυδίου Καίσαρο/ς Σεβαστοῦ Γερμανικο/ῦ ὡροθέτησαν τὰ μ/ὲν <ἐν> δεξι<ᾳ> εἶναι Σα/¹⁵γαλα<σσέ>ων, τὰ δὲ / ἐν ἀριστερᾳ εἶναι / κώμης Τυμβρια<νασσέ>ω/⁻ν⁻ Νέρωνος Κλαυδί/ου Καίσαρος Σεβασ/²⁰τοῦ Γερμανικοῦ, /ἐν ἢ καὶ πέμπτον / μέρος Σαγαλασ<σέ>ω/ν.

According to the letter of the god Augustus Germanicus Caesar (**Claudius**), Kointos Petronios Oumber, propraetorian imperial legate of **Nero** Claudius Caesar Augustus Germanicus, and Loukios Poupios Praises, procurator of **Nero** Claudius Caesar Augustus Germanicus, set the boundary: the (land) on the right side is to belong to the *Sagalasseoi* and the (land) on the left side is to belong to the village of the *Tymbrianasseoi* of **Nero** Claudius Caesar Augustus Germanicus, in which a fifth part also belongs to the *Sagalasseoi*.

⁴⁴¹ See Instance 105, which, it should be noted, is not clearly a boundary dispute.

⁴⁴² It is a pity that Burton missed the example of Aichinger 1982, who explains the use of special legates in the provincial boundary cases convincingly. I am aware of only one other situation in which a board of two imperial officials jointly supervised a boundary demarcation: the joint remarking on Vespasian's authority of a small portion of the *Fossa Regia* by the legate in command of *Legio III Augusta* and another legate whose exact office remains a matter of speculation (Instance 83).

79.2. SEG 19.765a; *Bean 1959, 84-85.30X; IGR 3.335; OGIS 538; Ramsay 1941, 234-236.237; Ramsay 1895, 336.165; Ramsay 1886, 128-129.X.

ἐξ ἐπιστολῆς Θε/οῦ Σεβαστοῦ / Γερμανικο[ῦ] Καίσαρ[ος], / Κοίντος [Π]ετρώνι/ος Οὖμβερ πρεσβευτὴς /⁵ καὶ ἀντιστράτηγος Νέρω/νος Κλαυδί[ο]υ Καίσαρος / Σεβαστοῦ Γερμανικοῦ κα[ὶ] / Λο[ὑκι]ος Πούπιος Πραί/σης [ἐπί]τροπος Ν[έρ]ωνος /¹ο Κλα[υ]δίου [Κ]αίσ[αρ]ος Σε/[βα]στοῦ Γε[ρ]μανικοῦ ώ/ροθέτησ[α]ν τὰ μὲν / δε[ξ]ιᾳ εἶν[αι Σαγ]αλασσέων, / τὰ [δ]ὲ ἐν ἀ[ρισ]τερᾳ κώ/¹⁵[μη]ς [Τ]υμβριανασσέ[ων Νέ]/ρ[ωνος Κλ]αυδ[ί]ου Καίσαρος / [Σεβαστοῦ Γ]ερμανικοῦ, [ἐν ἡ] / [καὶ πέμπτο]ν Σαγα[λασσέ]/[ων]

See Text 79.1.

79.3. SEG 19.765b; *Bean 1959, 84-85.30Y.

ἐξ ἐπιστολῆς Θ<εr>οῦ / Σεβαστοῦ Γερμανι/κοῦ Καίσαρος, Κοίντος / Π[ε]τρώνιος Ο<ὖ>μβερ / πρεσβευτὴς καὶ ἀντιστρ[ά]/⁵τη[γ]ος Νέρωνος Κλαυ/δίου Καίσαρος Σεβαστοῦ / Γερμανικοῦ καὶ Λούκιος / [Πού]πιος Πραίσης ἐπ[ί]τροπ[ος] / [Νέρω]νος Κλαυδίου {Κα[ι]} /¹⁰ Καίσαρος Σε[βα]στοῦ Γε<ρ>μανικο[ῦ] / ὡροθέτη/σαν τὰ μὲν / δεξιᾳ εἶ/[ναι] {Σαγαλα} /¹⁵ Σαγαλασσέων, / τὰ δὲ ἐν ἀριστε[ρᾳ] / κώμης Τυμ/βριανασσέων Νέρω/νος Κλαυδίου Καί/²⁰σαρος Σεβασ/το<ῦ> Γε<ρ>μανικο[ῦ], / ἐν ἡ καὶ πέμπτο[ν] / Σαγαλασσέ/ων.

See Text 79.1.

- 79.4. SEG 19.765c; Bean 1959, 86-87.30Z; Ramsay 1941, 235-236.238; Ramsay 1886, 129.⁴⁴³
- 79.5. See: Robert 1940 11/12, 596.444
- 79.6. See: Robert 1940 11/12, 596.445
- 79.7. See: Ramsay 1941, 234; Bean 1959, 88 n. 45. 446

80. Authoritative Demarcation between Asseria and Sidrona

Date(s): AD 62-68

This fragmentary boundary marker records an **authoritative demarcation** between *Asseria* (mod. Podgrađe near Benkovac in Croatia) and *Sidrona* (mod. Gradina at Medviđa).

Though the name of the presiding official is lost, the settlement can be dated to (or near) the tenure of P. Cornelius Dolabella as governor of *Dalmatia* because the same centurion who handled the boundary demarcation between *Corinium* and *Nedinum*⁴⁴⁷ carried out similar duties in this instance. The surviving portion of the text is very similar to the more complete one from this other case, and it can be securely shown to have been a boundary restoration. Given this similarity and the coincidence of personnel, it is certainly possible that the present evidence also attests to such a restoration. This hypothesis cannot be proved without the discovery and publication of a complete marker, or the missing portion of this one.

80.1. *EDH HD030504; ILJug 3.2845; Wilkes 1974, 262 no. 10; ILS 9379; Betz 1938, 33 n. 8; AE 1905.164.

--- / [--] Caesaris Au(gusti) [---] / inter Sidrinos et / Asseriates Q(uintus) Aebu/tius Liberalis (centurio) leg(ionis) / XI definit

... of Caesar Augustus ... between the *Sidrini* and the *Asseriates*, Quintus Aebutius Liberalis, centurion of *Legio XI* bounded it.

⁴⁴³ The surviving text is very fragmentary. Bean provides a restoration on the basis of autopsy and comparison with the two others he publishes. He believes the text is identical to that on the other stones.

Add Robert reported discovery of this stone and claims to have made a copy; no text has ever been published, but it is assumed to have been identical in content to the others.

⁴⁴⁵ Robert reported discovery of this stone and claims to have made a copy; no text has ever been published, but it is assumed to have been identical in content to the others.

⁴⁴⁶ Possible doublet or possible lost stone. Bean thought the third inscription he published (Text 79.4) was the same as a third identified but not published by Ramsay, even though its appearance differed greatly from that remembered by Ramsay at an interval of 50 years.

⁴⁴⁷ Instance 3.

81. Boundary Demarcations between Cirta and its Neighbors

Burton 2000, nos. 54 and 57

Date(s): at least AD 69-253

A significant number of boundary markers related to the territory of *Cirta* (mod. Constantine in Algeria) and its federated communities survive and have been published, thanks both to the regional importance of the city in the early Roman Empire⁴⁴⁸ and to the interests and energies of French colonialists living at Constantine during the 19th and 20th centuries. None of these markers can be associated definitively with disputes. Only some of them constitute **authoritative demarcations**.

Twenty-one boundary inscriptions related to the territory of *Cirta* are known. These can be divided into 6 groups, of which only four groups (consisting of 13 markers total) can be dated. The groups are as follows:

- Undated: markers of the public land (*ager publicus*) of *Cirta*, and possibly related markers with other texts (Texts 81.15 through 81.28).
- Between AD 69-84: markers erected on the authority of the emperor Vespasian through C. Tullius Pomponianus Capito, a legate (of uncertain status) of the emperor. The markers indicate public lands (*agri publici*) of *Cirta*, assigned or leased (*adsignati*)⁴⁴⁹ to the *Suburbures Regiani* and the *Nicives* (Texts 81.1 and 81.2 = Burton 2000 no. 54).
- Between AD 117-138: markers erected on the authority of the emperor Hadrian, with no other officials mentioned. The markers separate public lands of *Cirta* from allocated lands of *Cirta*; i.e., lands that had been assigned to individual landowners within the territory of *Cirta* (Texts 81.4 through 81.13).
- Between AD 117-138: a single marker related to centuriation, also placed on the authority of the emperor Hadrian (Text 81.14).

⁴⁴⁸ *Cirta* was the center of a large section of the territory of Juba I, given by Caesar to his ally P. Sittius and others. *Cirta* became a *colonia* between 36 and 27 BC and was incorporated into the province of *Africa nova*. Between the reigns of Augustus and the Flavians, *Cirta* became the head of a four-city confederation with *Rusicade*, *Chullu* and *Milev* that eventually became known as the *res publica IIII coloniarum Cirtensium*. *Cirta's* predominance was long-lived; for example, its third century citizens erected an honorific inscription to the emperors Trebonianus Gallus and Volusianus with revenues from the "public lands of the *Siguitani*" (Text 1.27). See further EncBerb s.v. "Cirta" by F. Bertrandy, pp. 1971-1973.

⁴⁴⁹ See DizEpig s.v. "Adsignatio (publica)" and DizEpig s.v. "Ager," esp. 2. "Demanio dello Stato: ager publicus populi Romani".

- Undated markers, possibly corresponding to the same demarcation as the Hadrianic group described above, but carrying shorter inscriptions that do not mention the emperor or his agents, and therefore cannot be dated by internal evidence. These markers relate to public and allocated lands of *Cirta*, and to allocated lands of *Milev* (mod. Mila), one of the participants in the four-city *contributio* headed by *Cirta* (Texts 81.17 through 81.21).
- AD 138: markers erected on the authority of P. Cassius Secundus, an imperial legate of Hadrian. The markers indicate public lands of *Sigus*, and one marker explicitly separates those lands from allocated lands of the *Cirtenses* (Texts 81.23 through 81.26 = Burton 2000 no. 57). These markers may relate to one or both of the two preceding instances of demarcation, or may represent a follow-up or additional allocation of land.

81.1. *EDH HD012592; AE 1969/70.696; BAA 3 (1968), 293-300.

ex au(c)torit(ate) / Imp(eratoris) Vespasia(ni) / Cae(saris) Aug(usti) agr(i) / pub(lici) Cir(tensium) ad(signati) Sub/urb(uribus) Reg(ianis) et /⁵ Nicibibus per / Tul<l>ium Pom/ponianum / Capitonem / leg(atum) Aug(usti)

By the authority of the emperor **Vespasian** Caesar Augustus. Public lands of the *Cirtenses* assigned to the *Suburbures Regiani* and the *Nicibes* through Tullius Pomponianus Capito, imperial legate.

81.2. *EDH HD017303; AE 1957.175.

-----/[---]ES Caesar(is) / Aug(usti) agri pu[b]/lici Cirt(ensium) adsig(nati) / Nicibibus et S/⁵uburburibus / Regi(anis) per Tulliu(m) Pomponianu(m) / Capitone(m) / leg(atum) Aug(usti)

See Text 81.1.

81.3. Christofle 1935, 220; *EDH HD024480; AE 1936.137.

Ex auct(oritate) / Imp(eratoris) Caesaris / Traiani Hadriani / Aug(usti) / agri accept(i) [---] /⁵ separa(ti) // a p(ublico) C(irtensium)

By the authority of the emperor Caesar Trajan **Hadrian** Augustus, allocated lands ... separated from public (land) of the *Cirtenses*.

81.4. *ILS 5978; Logeart 1939, 162.1; CIL 8.19104; EE 5.861.

a(gri) p(ublici) C(irtensium) // ex auct(oritate) / imp(eratoris) Caesaris / Traiani Hadriani / Aug(usti) /⁵ agri accept(i) Cirt(ensium) / separati a publ(ico)

Public land of the *Cirtenses*. // By the authority of the emperor Caesar Trajan **Hadrian** Augustus, allocated lands of the *Cirtenses*, separated from public (land).

⁴⁵⁰ Roman surveyors would not necessarily inscribe all boundary markers with a full text. Compare, for example, the use of everything from mute stones to very explicit inscriptions in the Trajanic redemarcation of the Julio-Claudian centuration grid in central Tunisia: Instance 87.

81.5. *CIL 8.19431; EE 5.859; CIL 8, 965; CIL 8.7084.

a(gri) p(ublici) C(irtensium) // ex auct(oritate) / imp(eratoris) Caesaris / Traiani Hadr[iani] / Aug(usti) /⁵ agri accep(ti) Cirt(ensium) / separa[ti] a [p]u[b(lico)

See Text 81.4

81.6. *CIL 8.19432; EE 5.860; CIL 8.7085.

ex auctor(itate) / imp(eratoris) Traiani / Hadriani Ca[e]/saris Aug(usti) / ag(ri) Cir(tensium) ac(cepti) sep(arati) a p(ublico)

See Text 81.4.

81.7. *EDH HD022728; AE 1939.160; Logeart 1939, 165.3.

ex auctori/tate Imp(eratoris) / Caesaris / Traiani Ha/driani Aug(usti) /⁵ a(gri) a(ccepti) C(irtensium) s(eparati) a p(ublico)

See Text 81.4.

81.8. Logeart 1939, 166.4.

ex auctori/tate imp(eratoris) / Caesaris / Traiani [Ha]/driani [Aug(usti)] /⁵ a(gri) a(ccepti) C(irtensium) s(eparati) a p(ublico)

See Text 81.4.

81.9. *Logeart 1939, 163.2; CIL 8.7090.451

ex auctori/tate imp(eratoris) / Caesaris / Traiani Ha/driani Aug(usti) /5 a(gri) ac(cepti) s(eparati) a p(ublico)

See Text 81.4.

81.10. *ILAlg 2.410.

[ex auct(oritate)] imp(eratoris) caes(aris) [Tr]aiani Had[ri]an(i) Aug(usti) p(atris) [p(atriae)] a(gri) a(ccepti) C(irtensium) s(eparati) a p(ublico). // a(gri) p(ublici) C(irtensium).

See Text 81.4.

81.11. *EDH HD021458; AE 1914.231.

[Ex auctori]/ta[te Imp(eratoris) Ca]/esaris Tra/iani Ha[d]r[i]/ani Aug(usti) / 5 p(atris) p(atriae) a(gri) a(ccepti) C(irtensium) s(eparati) a p(ublico)

See Text 81.4.

⁴⁵¹ Longeart corrects the defective reading of Cherbonneau, which was perpetuated in CIL.

81.12. *CIL 8.7088.

ex auctor(itate) / imp(eratoris) Caes(aris) Tr[ai]/ani [----]C / PP[-----]A[--]

81.13. *EDH HD018292; AE 1965.233; Lassus 1960, 96.

Ex aucto/ritate Imp(eratoris) Cae/saris Aug(usti) / Traiani [---

81.14. *EDH HD018672; AE 1989.852; Gascou 1989, 155-157.26.

D(ecumanus) XXI / K(ardo) VI // Ex aucto/ritate / Imp(eratoris) Cae/⁵ saris Aug(usti) / Traiani / [H]adriani a(gri) p(ublici) C(irtensium)

(Side a:) Decumanus 21, Kardo 6.

(Side b:) By the authority of the emperor Caesar Augustus Trajan **Hadrian**: public land of the *Cirtenses*

81.15. *ILAlg 2.1993; CIL 8.7086.

a(gri) p(ublici) C(irtensium)

Public land of the *Cirtenses*.

81.16. *CIL 8.7087.

a(gri) p(ublici) C(irtensium)

See Text 81.15.

81.17. *CIL 8.19974; CIL 8.19433; ILS 5980; CIL 8.8211; CIL 8.7089.

a(gri) p(ublici) C(irtensium) // a(gri) a(ccepti) M(ilevitanorum)

Public land of the *Cirtenses*. // Allocated lands of the *Milevitani*.

81.18. *ILS 5979; Logeart 1939, 172.6; CIL 8.18768; CIL 8.10821; Const 19 (1878), 379.

a(gri) p(ublici) C(irtensium) // a(gri) a(ccepti) C(irtensium) // a(gri) a(ccepti) C(irtensium)

Public lands of the *Cirtenses*. Allocated lands of the *Cirtenses*. Allocated lands of the *Cirtenses*.

81.19. *CIL 8.19329; EE 5.865.

a(gri) a(ccepti) C(irtensium)

Allocated land (belonging to) the Cirtenses.

81.20. *Logeart 1939, 170.5.

a(gri) a(ccepti) C(irtensium)

See Text 81.19.

81.21. *EDH HD020885; ILAlg 2.2003; AE 1908.246.

a(gri) a(ccepti) C(irtensium) // a(gri) p(ublici) C(irtensium)

Allocated land of the *Cirtenses*. // Public land of the *Cirtenses*.

81.22. *ILAlg 2.6517.

agri Cirt(ensium) / publici de c(olonia?) // agri Cirtenses acceptari(i).

agri Cirt(ensium) / publici de c(olonia?) // agri Cirtenses acceptari(i).

Public lands of the *Cirtenses*, from the colony(?). Allocated Cirtensian lands.

81.23. *EDH HD022731; ILAlg 2.6834; AE 1939.161; Logeart 1939, 178.10.

ex auct(oritate) P(ubli) C/assi Secun/di leg(ati) Aug(usti) / a(gri) p(ublici) Sig(uitanorum)

By the authority of Publius Cassius Secundus, imperial legate. Public land of the *Siguitani*.

81.24. *EDH HD031225; ILS 5977a; Logeart 1939, 175.8; CIL 8.19134; EE 5.864. See also: ILAlg 2.6516.

ex auc(toritate) P(ubli) Cassi / Secundi leg(ati) / Aug(usti) a(gri) p(ublici) S(iguitanorum) // a(gri) d(ivisi) S(iguitanis)

(Side a:) By the authority of Publius Cassius Secundus, imperial legate, public land of the *Siguitani*.

(Side b:) Divided land of Sigus.

81.25. *EDH HD031219; ILAlg 2.6846; Logeart 1939, 175.11; CIL 8.19132; EE 5 (1884).862. 452

ex auct(oritate) P(ublii) C/assi Secun/di leg(ati) Aug(usti) / a(gri) p(ublici) Sig(uitanorum) // a(gri) d(ivisi) S(iquitanis)

See Text 81.24.

81.26. *EDH HD031222; ILAlg 2.6515; ILS 5977; Logeart 1939, 173.7; CIL 8.19133; EE 5.863.

ex auct(oritate) / P(ubli) Cassi Se/cundi leg(ati) / Aug(usti) a(gri) p(ublici) Sig(uitanorum) // a(gri) a(ccepti) C(irtensium)

⁴⁵² Logeart claims to have relocated the stone and recorded a second side: a(gri) d(ivisi) S(iguitanorum), but Pflaum, publishing Gsell's notes in ILAlg 2, reproduces only the single-sided text published by Poulle and reproduced in CIL (he does not cite Logeart in connection with this inscription, though elsewhere in ILAlg 2 he does know of the article). EDH reproduced Logeart's second side without comment.

(Side a:) By the authority of Publius Cassius Secundus, imperial legate: public land of the *Siguitani*.

(Side b:) Allocated land of the Cirtenses.

81.27. *ILAlg 2.6514; Logeart 1939, 176.9; CIL 8.10148.

Imp(eratori) Caes(are) / C(aio) Vibio Tre[b]oniano / Gallo Invicto Pio / felice Aug(usto) p(atre) p(atriae) pon/tifice maximo tri[b](unicia) / 5 [po]testate proco(n)s(ule) / et / Imp(erator) Caes(are) C(aio) Vibio Afinio / Gallo Veldumiano / Volussiano / 10 Pio Felice Aug(usto) / r(es) p(ublica) C(irtensium) e p(ublicis) S(iguitanorum)

To the emperor Caesar Caius Vibius **Trebonianus Gallus** Invictus Pius Felix Augusti, father of the country, pontifex maximus, (holding the) tribunician power, proconsul and to the emperor Caesar Caius Vibius Afinius Gallus Veldumianus **Volussianus** Pius Felix Augustus, the *res publica* of the *Cirtenses*, from the (revenues of the) public (lands) of the *Siguitani*.

81.28. *EDH HD027240; ILAIg 2.1959; AE 1913.151.453

l(imes) p(ublicus?) C(irtensium)

Public right-of-way-and-boundary(?) of the *Cirtenses*.

81.29. *ILAlg 1.134; ILS 5976; CIL 8.17407; CIL 8.10838. 454

P(---) Hipp(oniensium) // Cirtensium

(Public? land) of the *Hipponienses* // (Public? land) of the *Cirtenses*.

⁴⁵³ Two identical rupestral boundary inscriptions bearing this text were found, approximately 25m apart (both treated at ILAlg 2.1959). The supplement C(irtensium) seems valid given the findspots of the inscriptions and the ubiquity of the usage on other boundary markers in the area. Various solutions have been suggested for L(---), including l(imes) p(ublici) (Gsell) and l(imes) p(ublici agri) (Scheithauer, for EDH), which I take to be the same in intent. Neither these formulations nor my suggestion (publicus modifying *limes*) are paralleled in other inscriptions. I base my tentative supplement on usage in the agrimensores, for example: nam locatione operis huius non solum quod ad publicos limites pertineret iniunxit, uerum etiam inter acceptas ne roborei deessent termini cauit = "In the contracting out of this task he [Augustus] not only gave instructions concerning public limites, but also took care that between holdings there should be no lack of wooden boundary markers" (Campbell 2000, 138.6-8, translation his). I take it that these inscriptions marked a surveyed boundary within allocated fields that also functioned as a legal, public right-of-way in just the manner the agrimensores describe. Note that these inscriptions were found near three other rupestral inscriptions marking the boundary of a private estate (ILAlg 2.1960.1-3). These bear the text *limes Fundi Sallustiani*, one of which was abbreviated as: *l(imes) f(undi) S(allustiani)*. Is it possible that, on our present inscriptions, F has been misread for P and we should read instead: l(imes) f(undi) C(---)? Compare also Text 81.29.

⁴⁵⁴ Various suggestions have been made for supplementing the enigmatic "P" preceding Hipp(oniensium), including: p(ublicum), p(ertica), p(rata). Perhaps it should be $p(ublici\ agri)$. Compare Text 81.28, another short inscription with an enigmatic "P".

82. Demarcations of a praefectura of Ucubis

Date(s): AD 73; 81-94

Two boundary markers from the area of modern Valdecaballeros in Spain attest to an **authoritative demarcation** during the reign of the emperor Vespasian and another during the reign of Domitian. The first marker (Text 82.1) was placed between the *Lacinimurgenses* (an otherwise unknown people) and *coloni* of *Ucubi* (mod. Espejo, southeast of Córdoba). The Domitianic marker (Text 82.2) mentions separated the *coloni* of *Ucubi* from the people of *Emerita Augusta* (mod. Mérida). The location of the boundary marker, and the use of the word *coloni*, provides evidence for the existence in this area of a non-contiguous *praefectura* of the Roman colony at *Ucubi*. The use of the terminology *terminus Augustalis* on the Domitianic marker may imply that the *praefectura* dates to the age of the emperor Augustus. It is possible, then, that these markers indicate restorations of the relevant boundaries, but it is impossible to be definitive. No subordinate representatives of the Roman administration are mentioned.

82.1. *EDH HD007455; CIL 2².7.870 and photo (Tab. 22); AE 1986.323; Vaquerizo Gil 1986, 130-133.14.⁴⁵⁶

Imp(erator) Caesar Aug(ustus) / Vespasianus po/ntif(ex) [max(imus)] trib(unicia) p/ot(estate) [IIII i]mp(erator) X p(ater) / p(atriae) co(n)s(ul) IIII design(atus) / V ter(minavit?) inter Laci/nimurg(enses) et Ucu/bitanos c(olonos) c(oloniae) Clarita/tis Iuliae

The Emperor Caesar Augustus **Vespasian**, pontifex maximus, (holding the) tribunician power for the 4th time, (saluted as) imperator 10 (times), father of the country, consul 4 (times), consul-designate for the 5th time (established the boundary?) between the *Lacinimurgenses* and *Ucubitani*, *coloni* of the *colonia Claritas Iulia*.

82.2. *CIL 2².7.871; CIL 2.656; ILS 5972. See also: Campbell 2000, 379 n. 56; Campbell 2000, 349 n. 54.

Imp(eratore) Domiti/ano Caes(are) Aug(usto) / Divi Aug(usti) Vesp(asiani) f(ilio) / Augustalis te/rminus c(olonorum) c(oloniae) C(laritatis) Iul(iae) Ucubitanor(um) /⁵ inter Aug(ustanos) Emer(itenses)

The Emperor **Domitian** Caesar Augustus, son of the god Augustus Vespasian. Augustan boundary marker of the *coloni* of the *Colonia Claritas Iuliae of the Ucubitani* against (the people of) *Augusta Emerita*.

⁴⁵⁵ CIL 2.2.7, 198. Cf., Campbell 2000, 349 n. 54 and Campbell 2000, 379 n. 56. Compare the Capuan *praefectura* on Crete: Instance 27.

⁴⁵⁶ l. 6: ter(minavit?) thus EDH and all prior editions.

83. Redemarcation of the Fossa Regia

Burton 2000, no. 76

Date(s): AD 74

The motivation and administrative context for the authoritative redemarcation of a small portion of the boundary between the "old" and "new" provinces of *Africa* during Vespasian's reign are obscure.

All nine surviving markers come from a relatively well-circumscribed geographic area, and one where no physical trace of the ditch itself survives. 457 There is no evidence to indicate that the work was prompted by a boundary dispute. The formula employed in the text (ex auctoritate imperatoris) is indistinguishable from that employed on markers erected as the result of verdicts issued in such disputes, as well as boundaries assigned extra-judicially. In this instance, the work was carried out on the authority of the emperor by two imperial legates, Sex. Sentius Caecilianus and C. Rutilius Gallicus. Caecilianus was the imperial legate in command of Legio III Augusta. Gallicus was either acting as imperial legate in lieu of the proconsul or was on a special mission for the emperor, such as the conduct of a provincial census. 458 At this time, Gallicus also set territorial boundaries between the Tripolitanian cities of *Lepcis* and *Oea*, apparently the concluding act in a violent dispute between the two cities that had flared up in AD 69/70.⁴⁵⁹ Given this temporal and political context (the proconsul had been murdered by the legionary legate in build-up to the war), we may tentatively hypothesize that this action was an effort to more clearly define the geographic spheres of authority of the legionary legate and the proconsul in order to head off future trouble. That the fossa might have divided the jurisdiction of these two officials would help to explain the need for both of them to collaborate in its demarcation.

83.1. *EDH HD031815; CIL 8.25967; ILS 5955; AE 1902.44; BCTH 1901, 413.

[Ex au]ct(oritate) Imp(eratoris) Vespa/siani Cae(saris) Aug(usti) p(atris) p(atriae) fi/nes provinciae no/vae et veter(is) de/recti qua Fossa / 5 Regia fuit per Ru/tilium Gallicum / co(n)s(ulem) pont(ificem) et Sen/tium Caecilia/num praeto/ 10 rem legatos / Aug(usti) pro pr(aetore)

⁴⁵⁷ For a balanced review and thoughtful discussion, see: EncBerb s.v. "Fossa Regia" by N. Ferchiou, pp. 2900-2910.

⁴⁵⁸ See relevant entry in the Prosopographical Index.

⁴⁵⁹ Instance 21.

By the authority of the emperor **Vespasian** Caesar Augustus, father of the country, the boundary between the old and new provinces, where the *Fossa Regia* was, was set by Rutilius Gallicus, consul and pontifex, and by Sentius Caecilianus, praetor, (both) propraetorian imperial legates.

83.2. *ILT 1293; CIL 8.25860; CIL 8.14882.

[E]x auc[toritate] / [imp(eratoris)] Vespasian[i] / [Cae(saris)] Aug(usti) p(atris) p(atriae) f[i]nes pro/vinciae novae [et] / [ve]ter(is) derec[ti] / 5 [q]ua foss[a re]/gia fuit per [Ru/ti]lium [Galli/c]um co(n)s(ulem) [pont(ificem) et . . .]

See Text 83.1.

83.3. *EDH HD028212; AE 1912.148; Patchère 1911 no. 36.

Ex auct(oritate) Imp(eratoris) Ve/spasiani Cae(saris) / Aug(usti) p(atris) p(atriae) fines / provinciae / novae et vet(eris) /5 derecti [qua] / fossa re[gia fu]/it per (R)utiliu(m) Cal/licu(m)(!) co(n)s(ulem) pont(ificem) / et Sentiu(m) Caecil/ 10 ianu(m) pra(etorem) et leg(atos) / Aug(usti) p(ro) p(raetore)

See Text 83.1.

83.4. *EDH HD028215; AE 1912.149; Patchère 1911 no. 37.

[Ex auct(oritate) Imp(eratoris) Vespa]/[siani Cae(saris) Aug(usti) p(atris) p(atriae)] / [fines provinci]/[ae novae et ve]/[t]er(is) derect[i] / [qua] fossa reg[ia] / fuit per Rut[i]/[l]ium Gallicu(m) c[o(n)s(ulem)] / [p]ont(ificem) et Sentium / Caecilianum / 10 praet(orem) leg(atos) Au/[g(usti) pro] pr(aetore)

See Text 83.1.

83.5. *EDH HD028218; ILAfr 496; AE 1912.150; Patchère 1911 no. 38.

Ex auct(oritate) Imp(eratoris) Vespa/siani Cae(saris) Aug(usti) p(atris) p(atriae) / fines provinc[i]/ae novae et veter(is) / derecti qua fos/⁵sa regia fuit per / Rutil(i)um Galli/cum co(n)s(ulem) pont(ificem) et / Sentium Caecil[i]/anum praeto/¹⁰rem legatos / Aug(usti) pro pr(aetore)

See Text 83.1.

83.6. *EDH HD028221; AE 1912.151; Patchère 1911 no. 39.

Ex auct(oritate) Imp(eratoris) / Vespasiani Cae(saris) / Aug(usti) p(atris) p(atriae) fines pro/vinciae novae / et veter(is) derecti /5 qua fossa re/gia fuit per / Rutil(i)um Gal/licum co(n)s(ulem) po/nt(ificem) et Senti/10 um Caecilia/num praeto/rem legatos / Aug(usti) pro pr(aetore)

See Text 83.1.

83.7. *EDH HD024240; ILT 624; AE 1936.28; Contencin 1934.

Ex auct(oritate) Imp(eratoris) / Vespasiani / Cae(saris) Aug(usti) p(atris) p(atriae) / fines provin/ciae novae et / 5 veter(is) derec/ti(!) qua fossa / regia fuit / per Rutilium / Gallicum co(n)s(ulem) / 10 pont(ificem) et Senti/um Caecilia/num praeto/rem legatos / Aug(usti) pro pr(aetore)

See Text 83.1.

83.8. *EDH HD010742; ILT 623; Poinssot 1938.

Ex auct(oritate) Imp(eratoris) Vespasiani / Cae(saris) Aug(usti) p(atris) p(atriae) fines provin/ciae novae et veter(is) / derecti qua / Fossa regia fuit /5 per [R]utilium Gal/licu[m c]o(n)s(ulem) pont(ificem) et / Sentiu[m] Caecilianum / praetorem legatos / Aug(usti) pro pr(aetore)

See Text 83.1.

83.9. *EDH HD028735; CIL 8.23084; AE 1894.65; Cagnat 1894.

Ex auct(oritate) Imp(eratoris) / Vespasiani / Au[g(usti) p(atrise)] p(atriae) fines / [provinci]ae no/[v]ae et veter(is) de/ 5 [re]cti qua fossa [re]/[gi]a fuit per Rutiliu[m] / [G]allicum co(n)s(ulem) pon[t(ificem)] / [et] Sentiu[m] Caecil[i]/[a]nu[m] pr[a]etore[m] / 10 [l]egatos Aug(usti) / [---]FD

See Text 83.1.

84. Authoritative Demarcation between the *Viennenses* and the *Ceutrones*

Burton 2000, no. 8

Date(s): AD 74

A single boundary marker attests to an **authoritative demarcation** between *Vienne* (mod. Vienne in France) and the *Ceutrones* or *Ceutronae*, inhabitants of *Axima* (mod. Aime).

The individual who carried out the demarcation, on the emperor's authority, had in his own right no direct legal authority over the two cities whose territory was demarcated. As Aichinger points out, Cn. Pinarius Cornelius Clemens was commander of the army of *Germania Superior*, whereas *Vienna* was located in *Gallia Narbonensis* and *Axima* in *Alpes Graiae et Poeninae*. The boundary between the two civic territories therefore was coincident with the provincial boundary. As a result, neither governor had the appropriate legal authority to adjust the boundary. That capacity fell to the emperor, and to anyone he might explicitly delegate for the purpose. 460

⁴⁶⁰ Aichinger 1982, 194-195.1.

Aichinger goes on to assume that this demarcation must have derived from a boundary dispute, accompanied with some degree of unrest in the area, thus necessitating the appointment of an imperial delegate who could bring to bear sufficient military force to quiet the unrest and enforce the settlement. This is a great deal to read into a relatively terse inscription. This text includes none of the judicial terminology that we have established as criteria for identifying boundary disputes. It merely says that Clemens established the boundary on the authority of the emperor. The reasons for the demarcation and the choice of person, as well as the mechanism whereby the emperor's authority was delegated, are not spelled out in any degree. There is no mention of unrest or enforcement. On the other hand, the fact that it is not a governor who conducts the demarcation is of significant interest, and reinforces Aichinger's thesis concerning the necessity of direct imperial involvement with territorial boundaries, "die den Jurisdiktionsbereich eines einzelnen Statthalters überschritten."

84.1. ILHSavoie 82; *Aichinger 1982, 194-195.1; ILS 5957; CIL 12.113. See also: CIL 12, 805.

ex auctoritat[e] / imp(eratoris) Caes(aris) Vespasian[i] / Aug(usti) pontificis max(imi) / trib(unicia) potest(ate) V co(n)s(ulis) V / desig(nati) VI, p(atris) p(atriae) /5 Cn(aeus) Pinarius Cornel(ius) / Clemens leg(atus) eius pro pr(aetore) / exercitus Germanici / superioris inter Viennenses et Ceutronas (sic) / terminavit

By the authority of the emperor Caesar **Vespasian** Augustus, pontifex maximus, (holding the) tribunician power for the 5th time, consul 5 times, consul-designate for the 6th time, father of the country. Gnaeus Pinarius Cornelius Clemens, his propraetorian legate (in command of) the army of *Germania Superior*, set the boundary between the *Viennenses* and the *Ceutronae*.

85. Re-establishment of Boundary Markers between the Suppenses and Vofricenses

Burton 2000, no. 77

Date(s): Flavian(?) era demarcation, replaced under Hadrian

A single boundary marker, recovered in 1941 in a place called Ou-Medas (between *Thagaste*, mod. Souk-Ahras, and Henchir Moussa in Algeria), attests to an **authoritative demarcation** between two tribal units, the *Vofricenses* and the *Suppenses*. The boundary markers between the two parties, which had earlier been placed by C. Tullius Capito Pomponianus Plotius Firmus, were repositioned by a slave surveyor of the emperor Hadrian, on the emperor's order (*iussu imp(eratoris)*).

_

⁴⁶¹ Aichinger 1982, 193.

The *Vofricenses* are otherwise unknown. The *Suppenses* only appear elsewhere in two letters of Augustine, published for the first time in 1981. 462 Almost nothing is known about either party. They are assumed to have been indigenous peoples, possibly smallish clan units. The context and reasons for both the initial demarcation and the subsequent replacement of the markers are wholly unrecoverable. It is not even clear whether Pomponianus was serving as legate of *Legio III Augusta* or as a special legate of the emperor (possibly Flavian). This is our only case of boundary demarcation in which an imperial slave acts as a surveyor. It is made still more unusual by failing to cite the presence of any judicially competent individual at an authoritative demarcation. There is insufficient contextual information to address the import of these issues.

85.1. *EDHHD020493; AE 1942-43.35.

iussu imp(eratoris) Caes(aris) / Traiani Hadria/ni Aug(usti) termini / repositi Capito/nis Pomponian(i) /⁵ per Peregrinum / Aug(usti) ser(vum) mensor/em missum ab ip/so inter Suppenses / et Vofricenses.

By order of the emperor Caesar Trajan **Hadrian** Augustus, the boundary markers of Capito Pomponianus between the *Suppenses* and *Vofricenses* were replaced through Peregrinus, imperial slave, a surveyor sent by the emperor.

86. Demarcation between the Public Lands of *Philippi* and a Private Individual

Date(s): AD 98-117

A single boundary marker from the area of *Philippi* (mod. Krenides in Greece) attests to a demarcation between public lands of *Philippi* and those belonging to an otherwise unknown private individual named Claudianus Artemidorus. The demarcation was carried out under the authority of the emperor Trajan, but no other personnel of the Roman administration are mentioned. It is unclear whether this inscription should be linked to another, terribly fragmentary one from the same area, which reads: *fine[s ...] / derect[i...] / PAN ----?*. ⁴⁶⁴ See also Instance 92.

86.1. *IPhilippi 559; EDH HD022397; ILS 5981; CIL 3.14206/4; AE 1898.89. See also: Pikoulas 1999, 898.9.

ex auctoritate / imp(eratoris) Nervae Traia/ni Caesaris Aug(usti) / Ger(manici) fines dere/cti inter rem [pu]/5blicam col(oniam) Phi/lippiensem et / Claudianum Ar/temidorum / S(- - -) P(- - -) C(- - -).

⁴⁶³ See the Prosopographical Catalog.

⁴⁶² Desanges 1983, 91.

⁴⁶⁴ IPhilippi 601 = SEG 49.655.

By the authority of the emperor Nerva **Trajan** Caesar Augustus Germanicus, boundaries drawn between the *Res Publica Colonia Philippiensis* and Claudianus Artemidorus, S(- - -) P(- - -) C(- - -).

87. Restoration of Boundaries between the Nybgenii and the Tacapitani

Date(s): Restoration, ca. AD 98-117 of AD 29-30 boundaries

Epigraphic evidence attests to a massive centuriation effort in central Tunisia in AD 29 or 30 (Text 87.1 — Text 87.16). During the third year of C. Vibius Marsus' service as proconsul, *Legio III Augusta* carried out an extensive survey, evidently centered on high terrain to the northeast of *Ammaedara* and extending at least 250 km to the southeast. Two other inscriptions (Text 87.17 — Text 87.18) indicate that, sometime later during the reign of Trajan, a copy of an existing survey map was obtained from Rome and used to reestablish a boundary between the *Nybgenii* and the *Tacapitani*, probably in the course of resolving a dispute. Scholars generally assume that the map in question derived from the delimitation under Marsus.

All the boundary markers associated with these two events that have been recovered come from a 2,400 km² area of the Bled Segui, a valley centered on the ancient *Lacus Salinarum* and roughly bounded by the ancient settlements of *Capsa*, *Turris Tamalleni* and *Aquae Tacapitanae*. Twenty-one boundary markers probably deriving from the original survey (5 of then uninscribed) have so far been published, as well as the two from the subsequent Trajanic redemarcation.

The inscribed survey markers of AD 29-30 bear coordinates relative to the main axes of the centuriation grid: the *cardo maximus* and *decumanus maximus*. These coordinates indicate the locations of the marker within the grid of centuriation (these range from 55-110 centuries to the right of the *decumanus* and 235-305 centuries beyond the *cardo*, with one bearing coordinates of 45 to the left of the *decumanus*). One of these inscribed boundary markers also carries the annotation NYBG, which has been variously supplemented as *Nybg(enii)* or *Nybg(eniorum)*. Whatever the precise case of the name, it seems likely that this annotation was meant to indicate one of two things: that the century thus marked (or a portion thereof) contained land that belonged to (or had been assigned to) the *Nybgenii* (i.e., public land of the *Nybgenii*), or that the *limes* on which the marker stood also constituted a territorial boundary between the *Nybgenii* and another community or people. Or it indicates that both conditions coincided.

⁴⁶⁵ BAtlas 33 C4-D4 and 35 A1-B1

In his definitive study of the centuriation, P. Trousset calculates from the relative position of the inscribed markers that the centuriation grid was composed of square centuries measuring approximately 710 m on a side. 466 Leaving out the one marker from the left side of the decumanus maximus, this means we have direct epigraphic evidence for the survey covering an area measuring 55 x 70 centuries (39.1 x 49.7 km). Further, by using the dimensions of the centuries and the coordinates of the surviving markers, it is possible to extrapolate the location of the grid's origin. These calculations put the decumanus maximus nearly 40 km away from the lowest-numbered marker, and the cardo maximus nearly 167 km away. Given these distances and the angular alignments of the surviving markers, Trousset accordingly locates the origin atop the Jebel bou el Hanèche, a prominent peak just to the northeast of Sidi-Ali-bou-Khraled, where there is evidence for an ancient settlement and a road. 467 From there, the decumanus maximus would have run to the southeast at an angle of approximately 35 degrees from south, taking it near Sufetula. The cardo maximus would have run at a right angle to the decumanus, taking it near Ammaedara, the winter camp of the legion from at least AD 14. 468 Prior to the publication of Trousset's study, the centuriation of AD 29-30 was thought to be part of an even larger, hypothetical system embracing the whole of southern Tunisia. Trousset soundly repudiates this view by comparing the orientation and grid size of this segment with those in other areas, though it is clear that the scheme was still large.

The two Trajanic inscriptions were in very poor condition when recovered. It is clear that both were labelled as *termini inter Tacapitanos et Nybgenios* and that each carried a similar text beginning with the phrase *ex auctoritate imperatoris*. The imperial titulature is that of Trajan, but it is not expressed fully enough to provide a precise date. The name of the individual responsible for reestablishing the boundary has been lost, but he did so on the basis of a map (*forma*) sent by the emperor. The orientation of these boundary markers was important, for opposite sides were clearly labelled with the names of the appropriate parties: the *Nybgenii* on one side, the *Tacapitani* on the other. The findspots of these markers, and the orientation of their faces, accord well with the earlier centuriation grid as reconstructed by Trousset; hence the common assumption that the map mentioned in the Trajanic inscriptions depicted the survey as conducted under Marsus.

⁴⁶⁶ See Trousset 1978 with Trousset 1997.

⁴⁶⁷ See BAtlas 33 C1, where the settlement is marked and the unlabeled peak indicated only by contour lines.

⁴⁶⁸ Fentress 1979, 66; Le Bohec 1989, 341-342.

There is no direct evidence linking the centuriation of AD 29-30 to any particular dispute or to any particular military or administrative actions, nor would we expect there to be such a linkage. Most modern commentators interpret the survey as a consequence of the revolt of Tacfarinas and a major escalation in an already aggressive assertion of Roman control over the region, signalled in preceding years by the establishment of the legion at Ammaedara and the construction of a road from there to *Tacape*. In the view of Trousset and others, 469 the centuriation was a political and military measure taken to punish those native peoples that supported Tacfarinas, by limiting their territorial control and establishing a basis for future administration, land appropriation and tax assessment. Whether this centuriation scheme was thoroughly marked on the ground in all areas between its origin and the Bled Segui—where the territory of the Nybgenii abutted that of the Tacapitani—is a matter of speculation. The published analyses employing aerial photography do not yet extend this far to the south, so that it is impossible for us to assess the degree to which this grid left a lasting impact on the organization and exploitation of the landscape. That a land dispute could be settled at least 70 years later on the basis of the map held in the imperial archives recording the original survey indicates that the issue was not without some long-term importance.

NB: in the following presentation of texts, I have followed Trousset 1978 + Trousset 1997. Because his presentation is definitive, I have not felt it necessary to provide a full list of editions (lemma) or findspots for each stone. I have provided only one example text for each type of inscription, and have not listed at all the five "mute" stones cataloged by Trousset (1978 pp. 176-177 nos. 2-3, 8, 13, 16).

87.1. Trousset 1978 no. 1, pp. 129-132, 176-177; *EDH HD030558; ILS 9375; CIL 8.22786f; AE 1905.185.

leg(io) III A[ug(usta)] / leimitavit(!) / C(aio) Vibio Marso / proco(n)s(ule) III / d(extra) d(ecumanum) LXX /5 ul(tra) k(ardinem) CCLXXX

Legio III Augusta established the *limites* when C. Vibius Marsus was proconsul for the third time. To the right of the *decumanus*: 70. Above the *kardo*: 280.

⁴⁶⁹ E.g., Hitchner 1994, 32-33. Cf. Instance 89.

- 87.2. Trousset 1976 no. 12, pp. 129-132, 176-177; *CIL 8.22786a.
- 87.3. Trousset 1978 no. 14, pp. 176-177 and 129-132; CIL 8.22786k.
- 87.4. Trousset 1978 no. 15, pp. 176-177 and 129-132; CIL 8.22786l.
- 87.5. Trousset 1978 no. 17, pp. 176-177 and 129-132; CIL 8.22786m.
- 87.6. Trousset 1978 no. 18, pp. 176-177 and 129-132; ILT 71; CIL 8.22789.
- 87.7. Trousset 1978 no. 19, pp. 176-177 and 129-132; ILT 73.
- 87.8. Trousset 1978 no. 20, pp. 176-177 and 129-132; ILT 74.
- 87.9. Trousset 1978 no. 7, pp. 129-132, 176-177; *CIL 8.22786e.

D(extra) d(ecumanus) LXV // u(ltra) k(ardinem) CCLXX / Nybg(eniorum)

To the right of the decumanus: 55. // Above the kardo: 270. (Land belonging to) the Nybgenii.

- 87.10. Trousset 1978 no. 9, pp. 176-177 and 132-133; CIL 8.22786g.
- 87.11. Trousset 1978 no. 10, pp. 176-177 and 132-133; CIL 8.22786i.
- 87.12. Trousset 1978 no. 11, pp. 176-177 and 132-133; CIL 8.22786h.
- 87.13. *Trousset 1978 no. 4, pp. 176-177 and 132-133; CIL 8.22786d.

(centuria) II // (centuria) III

Century (number) 2 // Century (number) 3

- 87.14. Trousset 1978 no. 5, pp. 176-177 and 132-133; CIL 8.22786c.
- 87.15. Trousset 1978 no. 6, pp. 176-177 and 132-133; CIL 8.22786b.
- 87.16. AE 1997.1588; *Trousset 1997.470

leg(io) III Aug(usta) / leimitavit / C(aio) Vibio Mar/so proco(n)s(ule) III ///⁵ Q(uintarii) p(ositi) XVI (centuriae) XI

Legio III Augusta established the limites when Caius Vibius Marsus was proconsul for the third time. // (Terminus) Quintarius (number) 16. Century (number) 11.

87.17. *EDH HD029523; AE 1910.20; Cagnat 1909, 569 (1re borne); CIL 8.22787. See also: Trousset 1978, 134-136.

Ex auctoritate / Tac(apitanos) / BAVIB+ISATV / [---]DIA[---] // Imp(eratoris) Nervae $Tr/^5$ aiani Caes(aris) Aug(usti) / [secun]dum formam m[i]/[s]sam sibi ab eod/[em ---?]AECNMEO posita / est NF MIN /10 SVMVM venire / non potuit // Term(inus) inte[r] Tac(apitanos) et N[ygbenios] / N[yb]g(enios)(?)

⁴⁷⁰ According to the Agrimensores, *cippi* or *termini quintarii* were used to mark the *limites quintarii* in a centuriated area. These *limites*, which bounded each group of five centuries, were made wider than others in the system to accommodate traffic, and were double-checked by measurement during survey to ensure the regularity of the centuriation grid. See Trousset 1997; Campbell 2000, 77.29-31 and 141.5-22.

Boundary marker between the *Tacapitani* and the *Nybgenii* / (Land belonging to) the *Nybgenii*. // (By the authority) of the emperor Nerva **Trajan** Caesar Augustus, following the map sent for(?) him by the same (i.e., the emperor?) ... was placed ... not able to come. ⁴⁷¹ // By the authority ... / (Land belonging to) the *Tacapitani* / -----

87.18. *Cagnat 1909, 570 (2e borne); CIL 8.22788. See also: Trousset 1978, 134-136. 472

88. A Demarcation of the Thracian peraea of Thasos

Date(s): AD 101

A single boundary marker discovered (not in situ) at modern Petropege in Greece (not far from the putative site of *Akontisma*) attests to a Trajanic authoritative demarcation of a boundary "between the Thracians and the Thasians," i.e., the boundary of *Thasos*' well-attested *peraea* on the mainland of Thrace. The inscription invokes the *auctoritas* of the emperor and breaks off after the beginning of what appears to be a *determinatio* or a relative statement of distance along the boundary. *Thasos' peraea* may have been the subject of a **boundary dispute**, attested by an inscribed letter of a Thracian governor sometime between AD 69-79. There is no indication of a dispute in the present instance.

88.1. *EDH HD014711; AE 1992.1533; ILGR 212; AE 1968.469. See also: Pikoulas 1999, 898.7.

Imp(eratore) Caesare / Nerva Traiano / A[u]g(usto) Germanico / [I]III Articuleio Pae/to co(n)s(ulibus) ex auctoritate Imp(eratoris) Caesaris /⁵ Nervae Traiani Aug(usti) / Germanici. Fines / inter Thracas et Tha/sios. Terminus secun/dus. Infra vicum Rhadeloninum [---] /¹º [-----

When the emperor Caesar Nerva **Trajan** Augustus Germanicus was consul for the 4th (time) and Articuleius Paetus was consul (with him). By the authority of the emperor Caesar Nerva **Trajan** Augustus Germanicus. Boundaries between the *Thracae* and the *Thasii*. *Terminus* number 2. Below the *vicus Rhadeloninus* ...

⁴⁷¹ The significance of this phrase, indicating that someone was not able to come (*venire non potuit*) is obscure, but it may reflect the requirement, evenident in other evidence, that the official with authority was expected to deliver his ruling on the spot when fixing a boundary.

⁴⁷² This badly damaged inscription bears a text similar to that on Text 87.17 with the exception that the main text (beginning *ex auctoritate* ...) seems to have been inscribed line-by-line across three faces of this stone, rather than being confined (mostly) to the front of the other. The two short inscriptions on the sides (one for the Nybgenii, the other for the Tacapitani) were, in this case, inscribed into the living rock atop which this boundary marker had been placed.

⁴⁷³ Instance 18.

89. Demarcations between the Musulamii and their neighbors

Burton 2000, nos. 55, 79, 80, 81, 82 and 85

Date(s): AD 102-117

These boundary markers carry texts recording **authoritative demarcations**, but cannot be certainly categorized as disputes.

Between the years AD 105 and AD 116/117, the *Musulamii* are on record as involved in at least seven different boundary demarcations in North Africa. The first four of these were carried out in AD 105 by the legate commanding *legio III Augusta*, L. Minicius Natalis. At that time, he separated the territory of the *Musulamii* from an imperial estate (Texts 89.1 and 89.2), an estate belonging to an otherwise unattested owner named Valeria Atticilla (Text 89.3), the territory of an otherwise unattested people called the **Tisibenenses* (Text 89.4), and the territory of the Roman colony at *Madauros* (Text 89.5). All of the markers are inscribed with similar texts, invoking the emperor's authority and recording Natalis' involvement as well as the names of the parties whose property or territory was demarcated. Whether these demarcations, each attested by a separate bilateral boundary inscription, derived from the same administrative act or legal case is unclear.

Eleven years later, a new legate in command of the legion, L. Acilius Strabo Clodius Nummus, demarcated the *Musulamii's* boundaries again with the same imperial estate (Text 89.6), with the territory of *Madauros* (Text 89.7), with another people called the *Bul[la]menses*, and (on a three-party boundary marker) with both the imperial estate and the territory of the Roman colony at *Ammaedara* (Text 89.8).

Often cited in this context, a fragmentary inscription, datable to AD 102, may allude to the abolition of the *Musulamii's* traditional boundaries, or to the exile of an individual or a group beyond those boundaries (Text 89.10). A poorly-preserved rupestral inscription may have

⁴⁷⁴ The discovery of yet another boundary marker was evidently announced at the 15th international conference *L'Africa Romana*, held in Tozeur, 11-15 December 2002. One hopes it will appear in the conference volume: N. Kallala, "Une nouvelle borne de délimitation du territoire des Musulames." Other papers were also scheduled that may bear on the topic of this dissertation, e.g., A. M'charek, "Aspects de la colonisation flavienne dans le territoire musulame," P. López-Felpeto, "Organización territorial romana en communidades indígenas: algunos ejemplos africanos," and G. Di Stefano, "Dai *Nibgenii* a *Turris Tamalleni*: Storie di confine lungo il *limes Tripolitanus*" (*non vidi*, pre-conference program, cf. http://www.uniss.it/africaromana/testi/programma_2002.htm).

⁴⁷⁵ A fragmentary boundary inscription found at *Madauros* also bears the name of Natalis and seems to employ the same verbal formula, but it is not clear who owned or controlled the land from which that of the *Madaurenses* was separated (Instance 90).

mentioned the *Musulamii* and may have functioned as a boundary marker, but it is too badly damaged to be of any definitive value (Text 89.11).

For years, scholars argued that markers such as these should be seen as evidence of a progressive Roman effort aimed at the 'cantonnement' of the Musulamii (and other transhumant or semi-nomadic native peoples), concurrent with the extension of Roman military and colonial presence into the area at this period. ⁴⁷⁶ The ostensible goal: to convert uncooperative nomads into sedentary farmers by forcing them onto reservations. Since the 1970s, objections have been raised against this model. Archaeological survey and comparative methodologies have demonstrated that the *Musulamii* were not so much a large tribe as "an amorphous alliance group which covered a region of great ecological variety ... that certainly included some agriculture before the Romans arrived."477 These problems are acknowledged by E. Fentress in her influential study on *Numidia*, but the 'cantonnement' model remains central to her presentation. ⁴⁷⁸ She does consider the possibility that disputes between indigenous communities and newer Roman owners of large latifundia (like Valeria Aticilla) or smaller colonial holdings (e.g., veterans settled at Amaedara and *Madauros*) may have led to the legates' intervention, but there is no explicit evidence to this effect either. Whatever degree of mixed nomadism, transhumance and settled agriculture was practiced by the various small clans that made up the Musulamii before or after contact with Rome, the simple emplacement of authoritative boundary markers cannot be taken as punitive or as indicative of the creation of reservations. 479 Markers bearing indistinguishable texts (apart from the names of parties and officials involved) survive from many areas where the 'suppression of nomadism' cannot have been an issue.

⁴⁷⁶ E.g., Bénabou 1976, 438. This confinement to an imposed territory is seen as both practical and punitive, an ongoing response to the support provided to Tacfarinas by the *Musulamii* in his revolt under Tiberius (Hitchner 1994, 32-33, cf., Instance 87). See further: Bénabou 1986, Benzinah ben Abdallah 1992 and Quinn 2003.

⁴⁷⁷ Whittaker 1978, 345.

⁴⁷⁸ Fentress 1979, 72-73.

⁴⁷⁹ Whittaker 1978, 345-346: "All the evidence really shows is that some of the fractions of the alliance groups were sedentary in certain obviously agricultural regions – which is precisely what could be expected."

89.1. *EDH HD023444; ILAlg 1.2988; Guénin 1908, 165.1; AE 1907.19; CRAI 1906, 479.1.⁴⁸⁰

[E]x auctori[tate] / Imp(eratoris) Nerva(e) Traiani / Caes(aris) Aug(usti) Ger(manici) Dacici / L(ucius) Minicius Natalis / leg(atus) Aug(usti) pro pr(aetore) /5 inter Aug(ustum) et / Musul(amios) XXXI / P(---) m(ilia) p(assuum) [X]VI (et passus) DCCC

By the authority of the Emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus. Lucius Minicius Natalis, propraetorian imperial legate, (set the boundary) between Augustus and the *Musulamii* . . .

89.2. Naddari 2000, ???; AE 2000.1629.⁴⁸¹

[--- inter A]uq(ustum?) et Musul[a]/mios. V ad p(alum) / (milia) p(edes) XXV.

See Text 89.1.

89.3. *EDH HD025996; ILT 1653; AE 1923.26; CRAI 1923, 72; BSAF 1923, 147-149.

Ex auctoritate / Imp(eratoris) Nervae Traiani Caesaris / Augusti Germanici Dacici pontif(icis) / maximi trib(unicia) potest(ate) VIIII imp(eratoris) IIII co(n)s(ulis) V p(atris) p(atriae) / L(ucius) Minicius Natalis leg(atus) Aug(usti) pr(o) pr(aetore) inter $Mu/^5$ sulam<i>os et Valeriam Atticillam / LXXXX A(- - -) P(- - -) p(edes) CXVICD

By the authority of the emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, pontifex maximus, (holding the) tribunician power for the 9th time, (saluted as) imperator 4 times, consul 5 times, father of the country. Lucius Minicius Natalis, propraetorian imperial legate (set the boundary) between the *Musulamii* and Valeria Atticilla ...

89.4. *EDH.HD023450; ILAlg 1.2978; Guénin 1908, 116-117; AE 1907.21; CRAI 1906, 479.3. See also: Desanges 1962, 138-139. 482

[E]x auctor[itate] / [I]mp(eratoris) Ner(vae) Tra[iani] / Caes(aris) Aug(usti) Ger(manici) D[acici] / L(ucius) Minicius Na[talis] / leg(atus) Aug(usti) pro pr(aetore) [inter] / Musul(amios) et Tisiben[e]/nses II A(---) I[-] / CCCCLXXII

⁴⁸⁰ Guénin reported finding this inscription about 100m to the southwest of a ruined village located at the spring supplying the Henchir Kamellel, near the point where what he took for a Roman road crossed a ravine. About 60m further down the ravine, he found a similar inscription, placed 11 years later by L. Acilius Strabo Clodius Nummus (Text 89.6).

⁴⁸¹ This recently discovered document is probably part of Natalis' demarcation since it includes measurements like those on Text 89.1, a feature that the later markers of Acilius Strabo Claudius Nummus (e.g., Text 89.6) do not.

⁴⁸² The name *Tisiben[e]nses* is otherwise unattested and the restoration is conjectural (Cagnat). Cagnat prepared the first publication (CRAI 1906) from a squeeze sent to him by Guénin. Guénin's own version of the text followed in 1908 and rendered the placename *Cisiben[?]nses*. Both Gsell (ILAlg) and Niquet (EDH) follow Cagnat. Gsell categorically rejects all differences between Guénin and Cagnat, without enumerating them. This judgment presumably relies on Cagnat's authority and, perhaps, review of a squeeze; Gsell was unable to locate the inscription.

By the authority of the emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, Lucius Minicius Natalis, propraetorian imperial legate, (set the boundary) between the *Musulamii* and the **Tisibenenses* ...

89.5. *EDH HD031156; *EDH HD022238; ILAlg 1.2828; CIL 8.28073a; ILS 5958a; AE 1898.39a; BCTH 1896.213a; CIL 8.4676; RevSocSav 7 (1874), 327 (checking). 483

Ex auctoritate / Imp(eratoris) Nervae Traiani / Caes(aris) Aug(usti) Germani/ci Dacici / L(ucius) Minicius Natalis /5 leg(atus) Aug(usti) pro pr(aetore) inter / Madaurenses et Musulamios

By the authority of the Emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, Lucius Minicius Natalis, propraetorian imperial legate (set the boundary) between the *Madaurenses* and the *Musulamii*.

89.6. *EDH.HD023447; ILAlg 1.2989; Guénin 1908, 165.2; AE 1907.20; CRAI 1906, 479.2.⁴⁸⁴

Ex auc[t]o[ritate] / Imp(eratoris) Ne{ne}rv[ae Traiani] / Caes(aris) Aug(usti) Ger(manici) D[acici] / co(n)s(ulis) VI im[p(eratoris)] XIII / L(ucius) Acilius Strabo Clod/⁵ius Nummus leg(atus) Aug(usti) / pr(o) pr(aetore) inter / Aug(ustum) et Musul(amios)

By the authority of the Emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, consul 6 times, (saluted as) imperator 13 times. Lucius Acilius Strabo Clodius Nummus, propraetorian imperial legate (set the boundary) between Augustus and the *Musulamii*.

89.7. *EDH HD031165; *EDH HD022241; ILAlg 1.2829; CIL 8.28073b; ILS 5958b; AE 1898.39b; BCTH 1896.213b. 485

[Ex au]ctori[tate] / Imp(eratoris) Nervae Traiani / Caes(aris) Aug(usti) Ger(manici) Dacici / co(n)s(ulis) VI [i]mp(eratoris) XIII / L(ucius) Acilius Strabo Cl[od]/⁵ius Nummus leg(atus) Aug(usti) / pr(o) pr(aetore) inter Musul(amios) / et Madaurens(es)

By the authority of the Emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, consul 6 times, (saluted as) imperator 13 times. Lucius Acilius Strabo Clodius Nummus, propraetorian imperial legate, (set the boundary) between the *Musulamii* and the *Madaurenses*.

89.8. *EDH HD031168; ILAlg 1.2939bis.

[Ex auctoritate] / [Imp(eratoris) Ne]rvae Trai/[a]ni Caes(aris) Aug(usti) Ger(manici) / [Da]cici co(n)s(ulis) VI / imp(eratoris) XIIII /⁵ L(ucius) Acilius Strabo / Clodius Nummus / l[e]g(atus) Aug(usti) pro pr(aetore) inter / Aug(ustum) et Am(ma)edere(nses) / et Musul(amios)

⁴⁸³ A rupestral inscription, carved into the same rock as Text 89.7.

⁴⁸⁴ This boundary marker was found in the same spatial context as an earlier one, placed by L. Minicius Natalis (see Text 89.1).

⁴⁸⁵ A rupestral inscription, carved into the same rock as Text 89.5.

By the authority of the emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus consul 6 times, (saluted as) imperator 14 times. Lucius Acilius Strabo Clodius Nummus, propraetorian imperial legate (set the boundary) between Augustus and the *Ammaedarenses* and the *Musulamii*.

89.9. *AE 1999.1815.⁴⁸⁶

[e]xs(!) auctoritat(e) / [Im]p(eratoris) Nervae Traia[ni] / [Ca]es(aris) [A]ug(usti) Ger(manici) Dacic(i) / [c]o(n)s(ulis) VI imp(eratoris) XIIII / [L(ucius) A]cilius Strabo Clo/s[di]us Nummus leg(atus) A[ug(usti)] / pro pr(aetore) in[t]er / Musul(amios) et / Bul[t]er

By the authority of the emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus consul 6 times, (saluted as) imperator 14 times. Lucius Acilius Strabo Clodius Nummus, propraetorian imperial legate (set the boundary) between the *Musulamii* and the *Bullamenses*.

89.10. *EDH HD031141; ILAIg 1.2939; ILS 5959; CIL 8.16692; CIL 8.10667. 487

Ex auctoritate / Imp(eratoris) Caes(aris) Traiani / Aug(usti) Ger(manici) Dacici / L(ucius) Munatius Gallus / leg(atus) pro pr(aetore) /⁵ finibus Musulamior(um) / [---]ectis vetustatis / [---]tam abolevit

By the authority of the emperor Caesar **Trajan** Augustus Germanicus Dacicus, Lucius Munatius Gallus, propraetorian imperial legate, abolished (banished) ... with regard to (?) the boundaries of the *Musulamii* ...

89.11. *Fentress 1979, 75.15; AAA 29.59.488

[---] Imperatore (---)iano (---) MVS(---?) [---]

90. Boundary Demarcation between *Madauros* and Another Party

Date(s): AD 105

A fragmentary inscription records a boundary demarcation between the territory of *Madauros* and that of an uncertain community, people or individual. The demarcation was carried out on the authority of the emperor Trajan by the legate of the North African legion, L. Minicius Natalis.

⁴⁸⁶ This document constitutes the first epigraphic attestation of the *Bullamenses*. See AE 1999.1815 for discussion and other sources (name variants and possibly related toponyms).

⁴⁸⁷ Various solutions and emendations to the fragmentary portions of this inscription have been attempted, but none is particularly satisfactory. The text may refer to the abolition of some rights or to the removal of some impediment to the exercise of rights within or beyond the boundaries of the *Musulamii*, but whether these rights belong to the *Musulamii* themselves, or to another person, people or community, is unclear. See Gsell's discussion of the problem at ILAlg 1.2939.

⁴⁸⁸ Fentress daringly supplements Gsell's "M(?)us..." as "Mus(ulamios)." Gsell thought the crudely cut and poorly preserved rupestral inscription might have been a boundary marker; Fentress accepts this position without comment and takes it as evidence of another demarcation involving the Musulamii, possibly under the emperor Hadrian.

Natalis is also on record with regard to several demarcations involving the territory of the *Musulamii* and other entities, including the people of *Madauros*. It is not clear if this fragmentary inscription should be taken as part of that group (see Instance 89).

90.1. ILAIg 1.2080; CIL 8.28074.

Ex auct(oritate) / Imp(eratoris) Nervae / Traiani Caes(aris) Aug(usti) / [Ge]rm(anici) Dacic[i] / L(ucius) Minicius [N]ata[lis] /⁵ leg(atus) [A]ug(usti) [pro pr(aetore)] / [i]n[ter Madaurens]e[s et] / [-------]s

By the authority of the emperor Nerva **Trajan** Caesar Augustus Germanicus Dacicus, Lucius Minicius Natalis, propraetorian imperial legate (set the boundary) between the *Madaurenses* and ...

91. Authoritative Demarcation between *Dorylaion* and Another City

Burton 2000, no. 72

Date(s): AD 117-138

A fragmentary boundary marker found built into the minaret of a mosque in the modern town of Mutalip in Turkey provides evidence for an **authoritative demarcation** between the nearby city of *Dorylaion* (mod. Şarhüyük), located in the province of *Asia*, and another city whose name is mostly lost.

The text indicates that the boundary markers were placed according to an order ($\kappa\alpha\tau\dot{\alpha}$ κέλευσιν) of the emperor Hadrian, whose titulature is abbreviated. It is on the basis of this phrase that the inscription is dated. The placement of the markers was carried out by one C. Iulius Severus, who is styled simply as Hadrian's propraetorian legate ($\delta\iota\dot{\alpha}$... $\pi\rho\epsilon\sigma\beta(\epsilon\nu\tau\sigma\hat{\nu})$ $\alpha\dot{\nu}\tau\sigma\hat{\nu}$ $\dot{\alpha}\nu\tau\iota\sigma\tau\rho\alpha\tau\dot{\eta}\gamma\sigma\nu$). His function in a proconsular province must be divined from other evidence, and this effort has exercised modern scholars in a process of debate that – in the absence of additional clarifying evidence – cannot be fully resolved.

In the normal course of things, we would expect to find the provincial governor handling boundary demarcations involving cities of his own province. He would accomplish this in one of two ways: by seeing to the matter himself, or by delegating it to another individual with appropriate authority (for example, a legate on his staff). If the demarcation involved a dispute, he could also delegate the judicial process to a Roman citizen (or panel thereof), acting as *iudex datus* (a well-attested procedure modeled on the formulary process of the Roman private law). Severus

is otherwise attested as "legate in *Asia*," ⁴⁸⁹ and this would seem to settle the matter, but for the identification of the other city mentioned on the inscription.

As is common in both the Latin and Greek boundary inscriptions, the plural ethnic name of a city's inhabitants is used in this inscription. $\Delta o\rho\nu\lambda\alpha\acute{\epsilon}\omega\nu$ presents no problem: it is the well-attested genitive plural form of the relevant ethnic. All that remains of the genitive plural ethnic of the other city's people is a stem and the inflected ending: $-\alpha\iota\epsilon\omega\nu$. There seems to be room for at most one character at the beginning of line 2 before the alpha; there is also a lacuna that might admit five or six characters at the end of the preceding line, immediately following $\Delta o\rho\nu\lambda\alpha\acute{\epsilon}\omega\nu$. The first three of these characters ought to be $\kappa\alpha$, leaving only 3 or 4 characters to complete the name. There are only two attested communities in the area whose names might be supplied here: *Midaion* (mod. Kütahya, less than 30 km to the east, gen. pl. $M\iota\delta\alpha\iota\acute{\epsilon}\omega\nu$) and *Nicaea* (mod. İznik, over 90 km to the northwest and in the province of *Bithynia*, gen. pl. $N\iota\kappa\alpha\iota\acute{\epsilon}\omega\nu$). The original editors rejected the possible supplement $[\kappa\alpha \iota M\iota/\kappa]\alpha\iota\acute{\epsilon}\omega\nu$ on the grounds that it "conflicts with ... the traces on the stone" whereas $[\kappa\alpha \iota M\iota/\kappa]\alpha\iota\acute{\epsilon}\omega\nu$ does not. This critical observation is not explained in more detail. Despite the fact that the findspot is very close to *Dorylaion* and *Medaion* is much closer than *Nicaea*, the choice of *Nicaea* has been followed by most modern scholars.

Scholars who have accepted *Nicaea* as the other city in this demarcation have been forced to deal with difficulties presented by Severus' role in the matter. Apart from his identification in this inscription as an imperial legate, we also have his cursus on honorific inscriptions from *Ancyra* (mod. Ankara), making him, at one time or other, *curator* of *Bithynia-Pontus* and proconsul of *Asia*. 492 His proconsulate can be dated securely to ca. AD 152/3 and so need not trouble us further

⁴⁸⁹ See notes 492 and 494.

⁴⁹⁰ The variant spelling Μιδαιεύς seems to be attested only by StByz s.v., Μιδάειον. Νικαιεύς is common in both ancient literature and the epigraphy.

The only published objection is voiced more recently by Şahin 1986, 140-141 note 55, who argues cogently against the original editors' assumption that the stone had been carried to its findspot from somewhere to the north on the watershed of the Bozdağ ("dem Grenz-Berg zwischen Nikaia und Dorylaion"). He cites the ready availability of reusable finished stone in the immediate vicinity from a number of ancient sites. Therefore, he continues, given the argument of proximity, we must rehabilitate the supplement $[\kappa\alpha] M_1/\delta]\alpha$ 1 ων. Matters are not helped by the fact that, according to Şahin, the stone cannot now be found.

⁴⁹² There are two extant copies, which differ in some minor particulars: Bosch 1967, 197.156 = IGR 4.174 = ILS 8826 and Bosch 1967, 198.157 = IGR 4.175: πρὸς ε' ῥάβδους πεμφθέντα εἰς Βειθυνίαν διορθωτὴν καὶ λογιστὴν ὑπὸ θεοῦ 'Αδριανοῦ. He is called ἀνθύπατος 'Ασίας only in the second inscription. The Bithynian appointment is confirmed by Cass. Dio 69.14.4. See Bosch 1967, 197-204 for extended discussion of these and other relevant texts.

here. Most scholars doubt that he can have conducted a boundary demarcation involving a city of *Asia* while serving in *Bithynia-Pontus*, for this would have undermined the authority of the proconsul of *Asia*. ⁴⁹³ But a legate on the staff of the proconsul of *Asia* whose brief was confined to that province would also seem an unlikely candidate for such a trans-provincial task, similarly undermining the authority of the governor in *Bithynia-Pontus*. Closer inspection of the cursus inscriptions provides the solution to this problem. Severus was serving as a special legate of the emperor Hadrian, in accordance with an imperial letter and *mandata*. ⁴⁹⁴ These arrangements may well have attached him to the proconsul's staff in Asia (this is undocumented), but granted him additional authority to deal with other matters. Whether this letter (or the *mandata*) directly addressed the boundary issue involving *Dorylaion* is a matter entirely of speculation. Severus' task may have been more generally defined.

Despite the difficulties presented by this damaged inscription, our model of administrative responsibility for civic (and related) boundaries can accommodate the various possible reconstructions. If both cities involved in this demarcation lay within the province of Asia, then the proconsul could have delegated the matter to any authoritative figure he chose. If the two cities lay in different provinces, then we must accept a special imperial mission (or at least special instructions from the emperor that conferred additional authority) on Severus. It is important to remember, however, that nothing about this text guarantees that the demarcation arose from a dispute.

91.1. Aichinger 1982, 197-198.4; AE 1938.144; MAMA 5.60.

[ὅρο]ι μεταξὺ Δορυλαέων [καὶ --]/[-]αιέων οἱ τεθέντες κατὰ κέ/λευσιν Αὐτοκράτ(ορος) Καίσ(αρος) Τραιαν(οῦ) / Ἡδριανοῦ Σεβ(αστοῦ) π(ατρὸς) π(ατρίδος) διὰ Γ. Ἰουλ(ίου) / Σεουήρου πρεσβ(ευτοῦ) αὐτοῦ ἀν/ 5 τιστρατήγου.

Boundary markers between the *Dorylaeoi* and the *(...)aieoi*, placed according to the command of the emperor Caesar Trajan **Hadrian** Augustus, father of the country, through G(aius) Iulius Severus, his propraetorian legate.

92. Demarcation between Public Land of *Philippi* and Private Landholders

Date(s): AD 117-138

⁴⁹³ But note Robert 1940a, 321 note 2, who attributed the boundary demarcation to Severus' curatorship in *Bithynia-Pontus* and then theorized that we have evidence here of a change in the boundary of the two provinces, incorporating *Dorylaion* in *Bithynia-Pontus* at this date. Contra, see Aichinger 1982, 198 note 19.

⁴⁹⁴ πρεσβεύσαντα ἐν ᾿Ασίαι ἐξ ἐπιστολῆς κὰ κωδικίλλων θεοῦ ᾿Αδριανοῦ. This is the conclusion of Aichinger 1982, 197-198.4, reiterated by Thomasson 1991, 78. See both for earlier literature and discussion.

A fragmentary boundary marker from the area of *Philippi* (mod. Krenides in Greece) attests to an **authoritative demarcation** between public land of *Philippi* and land apparently belonging to private owners, who may have been characterized as "the heirs of so-and-so." The *auctoritas* of the emperor is invoked, but no other personnel of the Roman administration are indicated in the surviving portion of the text.

92.1. *IPhilippi 475; CIL 3.14406d. See also: Pikoulas 1999, 899.11.

ex auctor(itate) / imp(eratoris) Caes(aris) / Hadriani Aug(usti) / fines derect(i) / [int]er pop(ulum) Phil(ippensem) [et] /5 her(edes) SPAN

By the authority of the emperor Caesar **Hadrian** Augustus, boundary drawn between the *populus Philippensis* and the heirs of ???.

93. A Demarcation in *Macedonia* by D. Terentius Gentianus

Burton 2000, no. 65

Date(s): AD 119-120

An inscription from the area of mod. Vitolište in the Republic of Macedonia records an **authoritative demarcation** by an otherwise unknown centurion of *Legio I Minervia*, between the *Geneatae* and another people whose name has been lost. The inscription is dated by a dative clause (presumably an error for the ablative) indicating the fourth year of Hadrian's tribunician power and his third consulate. The same clause cites the tenure of an imperial legate named D. Terentius Gentianus. He is known otherwise to have served as a censitorial legate in the province of *Macedonia*, and it is thought that this demarcation may have been carried out in that context. A rescript of the emperor Hadrian on the subject of tampering with boundary markers may have been issued to Gentianus at this time (Texts 93.2 and 93.3).

93.1. *EDH HD026335; AE 1924.57; Kazarow 1923, 275-278. See also: Pikoulas 1999, 899.10.

Imp(eratore) Caes(ari) [di]/vi Traiani P[ar]/thici fil(io) divi [Ner]/vae nepoti Tr[ai]/ano Ha(dria)no A[ug(usto)] /5 pontifici m[a]/ximo tr(ibunicia) pot[e]/state IIII co(n)s(uli) [III] / D¹(ecimo?) Terentio G[en]/tiano leg(ato) A[ug(usti)] /¹0 pr(o) pr(aetore) termin[i] / positi per Cl(audium) A[---]/num Maaxim[um(!) |(centurionem)] / leg(ionis) I Minerv(i)ae [in]/ter Geneata[s et ---]/¹5xinos

Imp(eratore) Caes(ari) [di]/vi Traiani P[ar]/thici fil(io) divi [Ner]/vae nepoti Tr[ai]/ano Ha(dria)no A[ug(usto)] /5 pontifici m[a]/ximo tr(ibunicia) pot[e]/state IIII co(n)s(uli) [III] / L (ucio) Terentio G[en]/tiano leg(ato) A[ug(usti)] /10 pr(o) pr(aetore) termin[i] / positi per Cl(audium) A[---]/num Maaxim[um(!) |(centurionem)] / leg(ionis) I Minerv(i)ae [in]/ter Geneata[s et ---]/15 xinos

When(?) the emperor Caesar, son of the divine Trajan Parthicus, grandson of the divine Nerva, Trajan **Hadrian** Augustus, pontifex maximus, (held the) tribunician power for the 4th time, (and was?) consul 3 times (and when?) Decimus(?) Terentius Gentianus (was) propraetorian imperial legate, boundary markers were placed through Claudius A[---]nus Maaximus (sic), centurion of *Legio I Minervia*, between the *Geneatae* and the [---]xini.

93.2. Dig. 47.21.2.

CALLISTRATUS libro tertio de cognitionibus. Diuus Hadrianus in haec uerba rescripsit: 'Quin pessimum factum sit eorum, qui terminos finium causa positos propulerunt, dubitari non potest. de poena tamen modus ex condicione personae et mente facientis magis statui potest: nam si splendidiores personae sunt, quae conuincuntur, non dubie occupandorum alienorum finium causa id admiserunt, et possunt in tempus, ut cuiusque patiatur aetas, relegari, id est si iuuenior, in longius, si senior, recisius. si uero alii negotium gesserunt et ministerio functi sunt, castigari et ad opus biennio dari. quod si per ignorantiam aut fortuito lapides furati sunt, sufficiet eos uerberibus decidere'.

Callistratus, *De Cognitionibus*, book 3: The god Hadrian issued a rescript in the following words: "That an evil deed has been done by those who have moved *termini* placed for the sake of boundaries, there can be no doubt. Concerning the penalty, however, it is possible to determine the magnitude according to the status of the individual and the intent: for, if the individuals who are found guilty are of higher rank, doubtless they did it for the sake of occupying someone else's boundaries, and they can, for a period of time, as the age of each permits, be relegated; that is: if they are younger, for longer, if older, shorter. But if they have undertaken the business of others and are discharging a duty, (they should) be punished and remanded for labor for two years. But if through ignorance or by chance the stones were removed, then it is sufficient for them to be beaten with a whip.

93.3. *Coll. 13.3.

Ulpianus libro octavo de officio proconsulis sub titulo de termino moto: Eos qui terminos moverunt non inpune id facere debere divus Hadrianus Terentio Gentiano XVII k. Sept. se III consule rescriptsit, quo rescripto poenam variam statuit. Verba rescripti ita se habent: 'pessimum factum eorum, qui termino finium causa positos abstulerunt, dubitari non potest. Poenae tamen modus ex condicione personae et mente facientis magis statui potest: nam si splendidiores sunt personae, quae convincuntur, non dubito quin occupandorum allorum finium causa id admiserint, et possunt in tempus, ut cuiusque patitur aetas, relegari id est si iuvenior in longius, si senior reecisius: si vero alii negotium gesserunt et ministerio juncti sunt, castigari et sic in biennium aut triennium ad opus publicum dari. Quod si per ignorantiam aut fortuito lapides usus causa furati sunt, sufficit eos verberibus coerceri.'

Ulpian, *De officio proconsulis*, book eight, under the heading *De termino moto*: The god Hadrian issued a rescript to Terentius Gentianus 17 days before the Kalends of September in his third consulate that those who have moved *termini* ought not to do so with impunity, in which rescript he established a varying penalty. The wording of the rescript is as follows: "That an evil deed has been done by those who have moved *termini* placed for the sake of boundaries, there can be no doubt. Nevertheless, the magnitude of the penalty can be established according to the status of the individual and the intent: for, if the individuals who are convicted are of higher rank, doubtless they did it for the sake of occupying someone else's boundaries, and they may be, for a time, as the age of each allows, relegated, that is, if younger, for longer, if older, shorter. But, if they have undertaken the business of others and are executing their duty, (they can be) punished and thus given over to public work for two or three years. But if through ignorance or by accident the stones were appropriated for reuse, it is sufficient for them to be punished with the whip."

94. Boundary Markers Placed between the *Igilgilitani* and the *Zimizes*

Burton 2000, no. 59

Date(s): AD 128

The procuratorial governor of *Mauretania Caesariensis* authorized the placement of boundary markers between territory belonging to Roman citizens living in the Augustan colony at *Igilgili* (mod. Jijel in Algeria) and an indigenous people, the *Zimizes*. The text seems to indicate a demarcation aimed a particular area, rather than an entire civic territory: its ostensible purpose was to clarify for the *Zimizes* that they could no longer have use of a *castellum* that was within the territory of *Igilgili*. It is not clear whether this demarcation represents the resolution of a dispute between the two parties or whether the action was administrative (e.g., confiscation of an important facility as punishment for some other misbehavior), and so this incident must remain classified only as an **authoritative demarcation**.

The implications and consequences of this demarcation are incompletely understood. An argument has been made for seeing this demarcation as an example of Roman 'governmental' policy aimed at the reservation of 'traditionally tribal' land for intensive cultivation by Roman colonists. ⁴⁹⁵ Cultivation cannot be the point of the demarcation, for the inscribed text is clear: only the area enclosed by the wall of the 'fortlet', (a mere 500 Roman feet), was at issue. That

⁴⁹⁵ Kehoe 1988, 207 n. 48.

⁴⁹⁶ There is a vast and divergent scholarly literature on the topic of *castella* in North Africa. The word seems to have denoted different things at different times to different ancient authors, ranging from 'fortified place' or 'fortlet' to 'small, indigenous community.' It may also have connoted, in some contexts, a hierarchical classification or rank of community. See: Bouchenaki 1977, 196-198, Whittaker 1978, 352-355, Gascou 1983 and Le Bohec 1990. Given the association in this case with a Roman colonial foundation, and the measurements for the *castellum* itself (see note 497), 'fortlet' seems the most acceptable choice.

the new structure had been built on land to which "the *Zimizes*, who are generally thought to be mountain neighbours of the *Igilgilitani*, had [previously] held joint title", is interesting indeed, but we cannot recover the reasons for this development. *Castella*, such as this one, may well have been a resource of value both to sedentary agriculturalists and the transhumant or nomadic peoples with whom they interacted seasonally. 499

94.1. *EDH HD016506; ILS 5961; CIL 8.8369.

Termini positi inter / Igilgilitanos in / quorum finibus kas/tellum Victoriae / positum est et Zimiz(es) /5 ut sciant Zimizes / non plus in usum / se haber(e) ex aucto/ritate M(arci) Vetti La/tronis proc(uratoris) Aug(usti) /10 qua in circuitu / a muro kast(elli) p(assus) / D pr(ovinciae) LXXXIX Tor/quato et Libone co(n)s(ulibus)

Boundary markers placed between the *Igilgilitani* (within whose borders the *castellum Victoriae* is located) and the *Zimizes*, in order that the *Zimizes* might know that they no longer have use of it. By the authority of Marcus Vettius Latro, imperial procurator. As much as is encircled by the wall of the *castellum*: 500 feet. In the year of the province 89, when Torquatus and Libo are consuls.

95. Demarcation Between the *Moesi* and *Thraces*

Date(s): AD 135

Six boundary markers from various sites in Bulgaria attest to a demarcation between the provinces of *Thracia* and *Moesia Inferior*. These are the only markers in the published epigraphic record that explicitly marked a provincial boundary without making reference to any of the cities or communities in either province. The word provincia is not used. The ethnics corresponding to the provincial names are: *Moesi* and *Thraces*. The markers were placed, on Hadrian's authority, by an otherwise unknown individual named Antius Rufus, who is thought to have been acting as a special legate of the emperor. It is most unlikely that he was a governor of either of the

⁴⁹⁷ If this 500 Roman feet (p(assus) D) is a perimeter measurement, the *castellum* will have been something like 125 Roman feet (approximately 121 ft = 37 m) on a side (if assumed to be square) or a circle with a diameter of 160 Roman feet (approximately 155 ft = 47.4 m). The enclosed area will then have been between 1,636 yd² and 2,105 yd² (1,369 m² – 1,762 m²), less than half the area of an NCAA regulation football field (5,333 yd² = 4,459 m²; cf., http://www.ncaa.org/champadmin/football_football_field.html). This is just slightly larger in area than one

http://www.ncaa.org/champadmin/football/football_field.html). This is just slightly larger in area than one Roman *actus quadratus* (half a *iugerum*): $1,508 \text{ yd}^2 = 1,262 \text{ m}^2$.

⁴⁹⁸ Whittaker 1978, 349.

⁴⁹⁹ Around 44 BC a *castellum* was divided by a Roman official: *divisit inter colonos et Uchitanos*. These *coloni* are plausibly argued by Whittaker 1978, 354 to have been, not Roman veteran colonists, but "sedentary farmers of the royal Numidian estates" who needed to share the resources of the *castellum* with the 'possibly transhumant' *Uchitani*. There is nothing, *pace* Whittaker, about this fragmentary Republicanera text that proves the division arose from a dispute or arbitration.

provinces in question, since neither governor can have possessed a sufficient span of jurisdiction to affect both provinces. The context and motivation for this demarcation are completely obscure.

95.1. *IGLNovae 73; ILBulg 357; CIL 3.749.

ex auctori/tate Imp(eratoris) Caesaris / divi Traiani Parthi/ci filio(!) divi Nervae / nepotis Traiani $Ha/^{5}$ driani Aug(usti) p(atris) p(atriae) pon/tifici(s) maximo(!) trib(uniciae) / potestatis XX co(n)s(ulis) II[I] / Antius Rufinus in/ter Moesos et Thra/ 10 ces fines posuit

By the authority of the emperor Caesar, son of the god Trajan Parthicus, grandson of the god Nerva, Trajan **Hadrian** Augustus, father of the country, pontifex maximus, (holding the) tribunician power 20 (times), consul 3 (times), Antius Rufinus placed boundaries between the *Moesi* and the *Thraces*.

95.2. *ILBulg 429; CIL 3.12407.

[ex auctori]/[tate Imp(eratoris) Caesaris / divi Traiani Parthi/ci fili(i) divi Nervae / nepotis Traiani Hadria]/⁵ni Aug(usti) p(atris) p(atriae) Pontifici(s) ma/ximo(!) tribuniciae / potestatis XX co(n)s(ulis) III / Antius Rufinus [i]/nter Moesos et [Thr]/¹⁰aces fines posui[t]

See Text 95.1.

95.3. *EDH HD006328; ILBulg 390; AE 1985.729; Banev 1981, no. 1.

Ex auctori/tate Imp(eratoris) Caesa/ris divi Traiani / Parthici fili di/vi Nervae nepo/⁵tis Traiani Ha/driani Aug(usti) p(atris) p(atriae) / pont(ificis) maximi / trib(uniciae) potes(tatis) XX / co(n)s(ulis) III Antius / Rufinus inter / Moesos et Th/races fines / posuit

See Text 95.1.

95.4. *EDH HD006340; ILBulg 386; AE 1985.730; Banev 1981; CIL 3 p. 992 n. 749.

Ex auctori/tate Imp(eratoris) Caesa/ris divi Traiani(i) / Parthici fili di/vi Nervae nepo(tis) $/^5$ Traiani Hadria/ni Aug(usti) p(atris) p(atriae) ponti/ficis maximi tri/buniciae potes(tatis) / XX co(n)s(ulis) III Antiu(s) $/^{10}$ Rufinus inter / Moesos et Thra/ces fines po/suit.

See Text 95.1.

95.5. *EDH HD006322; AE 1985.733; Božilova 1985.

[Ex auctorita]/[te Imp(eratoris) Caesa]/[ris divi Tra]/[iani Parthi]/[ci fili divi] /⁵ [Nervae nepo]/[tis Traiani] / [Hadriani Aug(usti)] / [p(atris) p(atriae) pontifi]/[cis maximi] /¹⁰ [tribuniciae] / [potestatis] / [XX co(n)]s(ulis) [I]II M(arcus) / [A]ntius Rufi/nus inter M/¹⁵[oesos] et Thr/[aces fines] / [posuit]

See Text 95.1.

95.6. *EDH HD031971; ILBulg 358; CIL 3.14422/1; AE 1902.106.

Ex auctori/tate Imp(eratoris) Caesaris / divi Traiani Parthi/ci filio(!) divi Nervae / nepotis
Traiani Ha/^sdriani Aug(usti) p(atris) p(atriae) pon[t]/ifici(s) maximo(!) tr[i]/buniciae potesta[tis]
/ XX co(n)s(ulis) III M(arcus) An[tius] / Rufinus inte[r Moe]/¹⁰sos et Thraces [fi]/nes posuit

See Text 95.1.

96. inter Regienses et saltum Cu[---]

Burton 2000, no. 88

Date(s): AD 136/7

An **authoritative demarcation** by an imperial procurator.

A single boundary marker from *Mauretania Sitifensis* records a demarcation, under Hadrian's authority and "under the auspices"⁵⁰⁰ of L. Aelius Caesar, by the imperial procurator C. Petronius Celer between *Regiae* and an unidentified estate (the *Saltus Cu[---]*). Celer's capacity in this matter (whether provincial governor or financial procurator) is unclear; the next year he was serving as the provincial procurator in *Mauretania Caesariensis*, where he assigned boundaries to the *Numidae* "ex indulgentia" of the emperor Hadrian (Instance 73).

96.1. *EDH HD023038; ILS 5963; CIL 8.21663; AE 1895.68.

Ex au[ctor]itate / Imp(eratoris) Caes(aris) divi Traiani Parthici [f(ilii)] / divi Nervae nepotis Traian[i] / Hadriani Aug(usti) p(atris) p(atriae) p(ontificis) m(aximi) tr(ibunicia) p(otestate) XX[I] / co(n)s(ulis) III proco(n)s(ulis) auspiciis L(uci) Aeli C[a]/⁵[es(aris)] Imp(eratoris) {IMP} fil(ii) co(n)s(ulis) termini pos(iti) i[n]/ter Regienses et saltum Cu[---] / per C(aium) Petronium Celerem proc(uratorem) Au[q(usti)] / an(no) provin(ciae) LXXXXVIII.

By the authority of the emperor Caesar, son of the divine Trajan Parthicus, grandson of the devine Nerva, Trajan **Hadrian** Augustus, father of the country, pontifex maximus, (holding the) tribunician power for the 21st time, consul 3 times, proconsul. Under the auspices of Lucius Aelius Caesar, son of the emperor, consul. Boundary markers placed between the *Regienses* and the *Saltus Cu[---]* through Gaius Petronius Celer, imperial procurator. In the year of the province: 98.

97. A Proconsul Demarcates the City of *Arykanda*

Burton 2000, no. 44

Date(s): ca. AD 162-163

Three identical boundary markers from the vicinity of *Arykanda* (mod. Aykırca in Turkey) attest to an **authoritative demarcation** in accordance with the orders of the emperors Marcus Aurelius and Lucius Verus (Αὐτοκρατόρων ... κελευσάντων). The demarcation was carried out

⁵⁰⁰ A unique formulation.

by the proconsul of *Asia*, Ti. Iulius Frugi. It seems to have involved the establishment of (revised?) boundaries for the city (ἀνθύπατος περιορίσας τὴν πόλιν) and the placement of boundary markers (τὰς στήλας ἔταξεν). The context and motivation for this demarcation are thoroughly obscure.

97.1. *IArykanda 25a-b; Şahin 1992, 81-82; Şahin 1984, 39 s.v. "Der neue Grenzstein"; SEG 6.764 (= 25a); SEG 34.1309; TAM 2.787 (= 25a).

[Αὐτοκρατόρων] /[Καισάρω]ν Σε[βα]/[στῶ]ν Μάρ(κου) Αὐ/[ρηλί]ου Άντω/[νείνο]υ καὶ Λου/⁵κί[ου] Αὐρηλίου /Οὐήρου κελε[υ]/σάντων Τιβέ/ριος Ἰούλιος /Φρούγι ὁ κρά/¹⁰τιστος ἀνθύ/πατος περιορί/σας τὴν πόλιν /τὰς στήλας /ἔταξεν

With the emperor Caesar Augustus **Marcus Aurelius** Antoninus and **Lucius Aurelius Verus** having commanded it, Tiberius Iulius Frugi, propraetorian legate, having established boundaries for the city, placed the markers.

97.2. Şahin 1984, 40 s.v. "Fragment eines dritten(?) Grenzsteins" (= 25c); Şahin 1984, 40 s.v. "Ein zweiter Grenzstein" (= 25d); SEG 6.763 (= 25d); TAM 2.786 (= 25d); *IArykanda 25c-d.

Αὐτοκρ[ατόρων] / Καισάρ[ων Σεβασ]/τῶν Μά[ρ(κου) Αὐρη]/λίου 'Α[ντωνείνου] / καὶ Λου[κίου Αὐρη]/⁵λίου Ο[ὐήρου κε]/λευσά[ντων Τι]/β[έ]ριο[ς 'Ιού]/[λιος Φρούγι δ] / [κράτιστος ἀνθύ]/¹⁰[πατος περιορί]/[σας τὴν πόλιν] / [τὰς στήλας] / [ἔταξεν]

See Text 97.1.

97.3. *IArykanda 25e.

Αὐτοκρατό[ρων] / Κ[αι]σ[άρ]ων Σεβασ(τῶν) / [Μάρ]κου [Αὐρη]/[λίο]υ [Ἀντωνείνου] / [καὶ Λουκίου Αὐρη]/ 5 [λίου Οὐήρου κε]/[λευσάντων Τι]/[βέριος Ἰούλιος] / [Φρούγι ὁ κρά]/[τιστος ἀνθύ]/ 10 [πατος περιορί]/[σας τὴν πόλιν] / [τὰς στήλας] / [ἔταξεν]

See Text 97.1.

98. Boundary markers of the territory of the *Ausdecenses* placed against the *Dacians*

Burton 2000, no. 23

Date(s): AD 176-179

A single boundary marker found in the vicinity of $Tropaeum\ Traiani$ (mod. Adamclisi in Romania) attests to an **authoritative demarcation** involving the territory of the civitas of the Ausdecenses. Conducted on the order of the provincial governor and future ill-fated emperor Helvius Pertinax $(iussu\ co(n)s(ularis)\ n(ostri))$, the demarcation was made explicitly to demonstrate to the Daci that they were to stay out of the territory of the Ausdecenses. The

demarcation was effected by an individual whose name is partly damaged (and therefore is unidentifiable), through an otherwise unknown tribune of a cohort.

The inscription dates to AD 176-179, based on Pertinax's tenure as governor.⁵⁰¹ The context, of course, is the height of the Marcommanic wars, in which Pertinax featured so centrally.⁵⁰² It is sometimes assumed that this demarcation relates in some way to the migrations and fighting of the period, but there is no proof of this. The *Ausdecenses* are thought to have been an indigenous Balkan people, incorporated as a *civitas* at some time under the empire and probably inhabiting this area for a time prior to the events recorded here, although this is the only epigraphic proof of their presence.⁵⁰³ This demarcation may have arisen from encroachment or outright invasion on the part of people from *Dacia* (perhaps displaced by fighting there), but we cannot be certain.

The civic decrees (*secun(dum) c(ivitatis) act(a)*) mentioned here may have been similar to one enacted by the assembly of the *Battynaioi* (at mod. Kranochori in Greece) and preserved in an inscription. The decree concerns the occupation of the community's public lands by "provincials" (i.e., non-citizens of the community). The community enacts several regulations of its own (including fines for its own magistrates who fail to prevent such circumstances) and forwards the decree to the provincial governor for endorsement. Boundary markers related to a dispute between a citizen of the Roman colony at *Cnossus* and the colony of *Capua* regarding a common border on Crete also make reference to civic decrees. 505

98.1. *EDH HD017654; Vulpe 1968, 164; Fitz 1966, 41-42.14; AE 1957.333; CIL 3.14437/2.

termin(i) pos(iti) / t(erritorii) c(ivitatis) Ausdec(ensium) adve/r(sus) Dac(os) secun(dum) c(ivitatis) / act(a) C(aius) Vexarus t(erminavit?) / opus h(inc) excessent /5 Dac(i) term(ini) t(erritorii) c(ivitatis) obli/[g(ati)] sint M[es]sal(la) F[e]/rox(?) term(inos) [p]os(uit) t(erritorii) / iussu Helvi Per/tinacis co(n)s(ularis) n(ostri) per /10 Anternium An/[to]ninum trib[unum] / coh(ortis) I Cilic(um)

⁵⁰¹ There is debate as to whether he was serving as governor of *Moesia Inferior*, or of both provinces simultaneously. See the relevant entry in the Prosopographical Index for literature.

⁵⁰² In general, see Birley 2000, chpt. 8 and apdx. 3.

⁵⁰³ Vulpe 1968, 164-165.

⁵⁰⁴ Rizakis 1985 185 = Woodward 1913, 337-346.17, cf. Buraselis 1993.

⁵⁰⁵ Instance 27.

Boundary markers of the territory of the *civitas* of the *Ausdecenses*, where it meets that of the *Daci*, in accordance with decrees of the *civitas*. Caius Vexarus completed(?) the work. Let the *Daci* go out of here. The boundary markers of the territory of the *civitas* have been surveyed. Messala Ferox(?) placed the boundary markers of the territory by order of Helvius Pertinax, our *consularis*, through Anternius Antoninus, tribune of *Cohors I Cilicum*.

99. Procuratorial Demarcation of the agri B[l]aes(iani)

Burton 2000, no. 27

Date(s): AD 184-185

Two boundary markers from the area of *Deultum* (mod. Debelt in Bulgaria) record the demarcation of fields belonging to (or leased by) an otherwise unknown people called the B[l]aes(iani). This demarcation may have been part of census or patrimonial operations. ⁵⁰⁶

99.1. *EDH HD017242; AE 1965.2.

Ex auctor[ita]/te Cl(audi) Cen[s]or[i]/ni proc(uratoris) A[u]g(usti) et / aes(timatione) iur[is] agr/orum B[l]aes(ianorum) / Marti[a]lis / Aug(usti) lib(ertus) po/suit

By the authority of Claudius Censorinus, procurator of Augustus and by legal estimation of the fields of the Blaesiani. Martialis, freedman of Augustus, placed (this marker).

99.2. *EDH HD017239; AE 1965.1.

[ex auc]tor[itat]/[te C]l(audi) Cen[so]/[r]ini pro/[c(uratoris)] Cug(usti) et aes(timatione) / iur[i]s agrorum /r [r]laes(ianorum) r]m/[arti]alis [r]uli]b(ertus) [r]os/[uit]

See Text 99.1.

100. An Authoritative Demarcation in *Asia* Brings Honor to the Severi

Burton 2000, no. 40

Date(s): ca. AD 209?

A fragmentary inscription on a broken cylindrical marker found near mod. Sarayköy in Turkey attests to an authoritative demarcation, carried out by a provincial quaestor, apparently at the behest of the proconsul of *Asia*. The inscription provides us with the probable identity of the quaestor (Maximius Attianus), and the possible identity of a heretofore unknown proconsul (L. Sempronius Senecio). The names of parties whose property or territory was delimited have not

⁵⁰⁶ See further discussion on page 51.

survived. This inscription has been discussed as evidence of a **boundary dispute**. ⁵⁰⁷ I cannot support this conclusion. It is true that the word determin[avit ---] or determin[atio ---] appears; therefore the inscription certainly concerns a boundary in some way. The appearance of the quaestor's name in the nominative (as subject of the verb determinavit?) and the putative proconsul's name in the ablative might signal that the latter had appointed the former as *iudex* in a boundary dispute, but the word *missus* is not sufficiently explicit for us to be certain of this. We cannot even be certain that the word beginning *determin* is the main verb in the sentence. To call this incident a dispute is pushing a lacunose and already heavily supplemented text rather far. In fact, the document preserves none of the diagnostic vocabulary that would be necessary for us to definitively classify this incident as a dispute. Moreover, the inscription begins with the phrase in h(onorem) DD(ominorum) Impp(eratorum), and is the only boundary marker I have found to do so. It seems more likely to me that this inscription records the restoration or expansion of boundaries – perhaps as a beneficium, perhaps as the outcome of a dispute – and so should be compared primarily with the beneficence of the Severi to the *Thuddedenses* in *Africa* and of Hadrian to Abdera in Thracia, both memorialized by the recipients with inscriptions that were honorific in tone.

100.1. *AE 1998.1361; Christol 1998; AE 1997.1448; French 1997, 61-63.3.⁵⁰⁸

In h(onorem) dd(ominorum) Impp(eratorum) Severi et Anton[ini et [[Ge]]]/[[tae]] Caesaris Auggg(ustorum) nnn(ostrorum) Maxi[mius Atti]/anus q(uaestor) pr(o) pr(aetore) missus[- ca. 10 - Sem]/pronio Senecione [proconsule ---] / determin[----]

In honor of the lords, the emperors **Severus** and Antoninus (**Caracalla**), and of **Geta** Caesar, our (three) Augusti, Maximius Attianus(?), propraetorian quaestor, sent by(?) ... Sempronius Senecio ... established (the boundaries?) ...

101. Boundary Demarcation between Unnamed Parties in the Area of Capidava

Burton 2000, no. 24

Date(s): AD 229

Three boundary markers recovered from the area between *Capidava* (mod. Topalu in Romania) and the *Vicus *Ulmetensium* (mod. Pantelimon de Sus) attest to an **authoritative demarcation** of something unspecified during the early third century.

⁵⁰⁷ Thus Burton 1993, 20-21, who insists that "l'inscription fait incontestablement allusion au règlement d'un conflit de limites."

⁵⁰⁸ The text of AE 1998.1361 incorporates the corrections and supplements of Christol 1998 in a full rendering of the text not provided by the latter. The discussion at Christol 1998 is essential, however.

One of the three boundary markers was wholly unreadable when discovered, but it has been associated with the other two on the basis of its shape and material. The other two clearly correspond to the same demarcation, but exhibit some differences in spelling and were found separately (Text 101.1 in the vicinity of Topalu and Text 101.2 in the vicinity of Pantelimon de Sus). Editors of these texts generally assume that the corresponding demarcation (ordered by the provincial governor Mantennius Sabinus and carried out by an otherwise unknown centurion) separated the civic territories of the two settlements. This supposition cannot be proved from the content of the text.

101.1. *EDH HD019084; IScM 5.8; AE 1960.349.

Impera[n]/te domin[o n(ostro)] / Severo [Ale]/x[an]dro / c(onsule) III et Cass(io) /⁵ Dion(e) II (consule) / Iul(ius) Vit[alis] / (centurio) leg(ionis) ex [pr(a)ec(epto)] / v(iri) c(larissimi) Mant[enni] / co(n)s(ularis) n(ostri) t[ermi(nos)] / 10 fix(it)

(Dated:) when the emperor our lord **Severus Alexander** was consul for the 3rd time and Cassius Dio was consul for the second time. Iulius Vitalis, centurion of the legion, according to the command of Mantennius Sabinus, *clarissimus vir* our *consularis*, established boundary markers.

101.2. EDH HD025195; *IScM 5.57a; AE 1922.73; Parvan 1915, 245.

Imper[an]/te dom(ino) / nostro [[Se]]/[[vero Alex]]/[[andro]] co(n)s(ule) / $^{\circ}$ III T[-](?) C[a]ssi[o] / Dione II co(n)s(ule) / Iul(ius) Vitale(s)(!) / |(centurio) leg(ionis) ex pr(a)/ecepto v(iri) c(larissimi) / 10 Manten/ni Sabin[i] / co(n)s(ularis) n(ostri) t(erminos) ficxi[t](!)

See Text 101.1.

102. Authoritative Demarcation on a North African Imperial Estate?

Date(s): AD 235-238

A single boundary marker records a mid-third-century demarcation between the *castellum Gurolensis* (probably at mod. Bir el Khreba in Algeria) and what was probably another *castellum*, named here as *Medianum Matidianum Alexandrianum Tizirlensis* (to be identified, perhaps with *vicus Augusti* at mod. Bir bou Saadia).⁵¹⁰ The demarcation was carried out on the authority of an imperial procurator of the *ratio privata*, and so may mark this area as an imperial estate. The demarcation involved the replacement of an old boundary marker (*vetus terminus*) according to a prior *determinatio*, agreement, verdict or other precedent, described here cryptically as *acta*.

⁵⁰⁹ IScM 5.57b.

⁵¹⁰ See further EncBerb 12, s.v. "castellum."

102.1. EDH HD023402; *ILS 9382; AE 1907.5.511

[e]x auc(toritate) Ax[i] / Aeliani v(iri) e(gregii) / proc(uratoris) Aug(usti) / ter(minus) vetus po/situs secun/⁵dum acta inter kastel[l(um)] Gurolen/sem et Medianum / [M]atidianum Ale/xandrianum Tizir/lensem

By the authority of Axius Aelianus, *vir egregius*, imperial procurator, the old boundary marker was placed according to *acta* between the *kastellum Gurolensis* and Medianus Matidianus Alexandrianus Tizirlensis.

103. Demarcation between a castellum and the ratio privata

Date(s): ca. AD 340-350

By far the latest **authoritative demarcation** in this catalog, a single boundary marker from a site called el-Guerria in Algeria attests to a demarcation between the territory of the *Castellum Aurelianense Antoninianense* and land belonging to the *ratio privata*. The demarcation was carried out by a decurion (of the *castellum?*), on the order of a mid-fourth-century provincial governor of *Mauretania Sitifensis*.

103.1. *ILS 5964; CIL 8.20618; CIL 8.8811.

Limes / agrorum a Gar/gilio Goddeo dec(urione) / p(ublice) p(ositus) secundum ius/sionem v(iri) p(erfectissimi) Iucun/⁵di Peregrini p(raesidis) n(ostri) / inter territori/um Aureliese et p/rivata [r]ation[e] / [---]OC[---]

Field boundary between the Aurelian(?) territory and the *ratio privata*, publicly established(?) by Gargilius Goddeus, decurion, following the orders of Iucundus Peregrinus, *vir perfectissimus*, our *praeses*.

104. Boundaries Placed between Caesarea ad Libanum and the Gigarteni of the Vicus Sidoniorum

Burton 2000, no. 52

Date(s): uncertain date

This fragmentary inscribed boundary marker attests to an **authoritative demarcation** between two peoples in the southern part of Roman *Syria*.

The demarcation was ordered (*fines positit* ... *iussu* ...) by an individual whose name and titulature have been erased from the inscription. ⁵¹² The demarcation was actually carried out by

⁵¹¹ The EDH text derives from AE, but Dessau had seen the stone and improved the readings; therefore, I repeat Dessau's text here.

an individual whose name has been lost through damage to the stone, presumably a centurion or other military figure, possibly a surveyor.

104.1. *EDH HD021309; ILS 5974; AE 1941.81; CIL 3.183.

Fines positi inter / Caesarenses ad / Libanum et Gigarte/nos de vico Sidonior(um) / iussu [[[---leg(ati)? Aug(usti)?]]] pro [pr(aetore)?] /5 per Dom[itium? ---] / -----

Boundaries placed between the *Caesarenses ad Libanum* and the *Gigarteni de vicus Sidoniorum*, by order of ??? propraetorian imperial legate (?), through Dom(itius ?) ...

105. Markers placed by a Freedman Procurator on an Imperial Estate in *Phrygia*

Date(s): uncertain date

A single boundary marker records the placement of boundaries, probably on an imperial estate in the vicinity of *Synnada* (mod. Şuhut in Turkey). The demarcation was carried out by an imperial freedman and procurator.

105.1. *EDH HD022739; CIL 3.12237; AE 1897.73.

Termini / positi ab / Irenaeo Aug(usti) / lib(erto) proc(uratore) [in]ter / CLR[---]0[---]/⁵E(?)I[---]orcenos

Boundary markers placed by Irenaeus, imperial freedman, procurator, between ...

106. Authoritative Demarcation of the *Balari* in *Sardinia*

Date(s): uncertain

A single rupestral inscription attests to a demarcation of the territory of the *Balari*: ... *finem* poni iussit praef(ectus) pr[ov(inciae)]

106.1. *Gasperini 1992a.

 $^{^{512}}$ Burton 2000 no. 52 assumes he was a procurator, but most editors assume he was an imperial legate (i.e., the provincial governor of *Syria*).

PROSOPOGRAPHICAL INDEX

This list presents all of the named individuals who appear in the documents compiled in this dissertation, together with a brief statement concerning the relevant offices they held or roles they played. These are not comprehensive biographical sketches. For more complete biographies (and, for Roman officials, full cursus lists) the reader is directed to the standard prosopographical works cited under the subheading "Literature" for each individual.

[- - -]us Pollio

Unidentifiable member of Nigrinus' consilium.

Literature: Rousset 2002, 146 note 517.

Instance(s): 39.

[---]nus Laco, L(?).

Otherwise unknown centurion(?) of *Legio VII*, appointed as a *iudex* in a boundary dispute in *Dalmatia* by L. Volusius Saturninus.

Instance(s): 8.

[---]s Bassus

Otherwise unknown governor (imperial legate) of *Dalmatia* at an uncertain date, possibly first century AD.

Literature: Thomasson 1984 17.58.

Instance(s): 32.

[--- leg(atus)] Aug(usti) pro p[r(aetore)]

Otherwise unknown governor (legate) of *Dalmatia*, possibly during the first century AD.

Literature: Thomasson 1984 17:69.

Instance(s): 31.

[--- Vib]ullius T[---]

Otherwise unknown centurion(?) of *Legio VII*, appointed as a *iudex* in a boundary dispute in *Dalmatia* by L. Volusius Saturninus.

Instance(s): 9.

[.]e[..]ius Se[--]minus, P.

Otherwise unknown centurion who effected a boundary demarcation between the *Thabborenses* and the *Thimisuenses*.

Instance(s): 56.

[Nonius] Asprenas C[---]anus, [P.]

Individual who settled a boundary dispute in *Cilicia*, acting either as govenor or as a *iudex datus* of the governor. He may be identifiable with one of two known Nonii who flourished under Vespasian and Domitian.

Literature: Thomasson 1984 31:29, cf. 26:83; PIR² N123 and N124.

Instance(s): 23.

[Plo?]tius Pegasus, [L.?]

Consul suffectus during the reign of Vespasian. Governor (legate) of Dalmatia under Vespasian.

Literature: PIR² P512; Thomasson 1984 17.25; Champlin 1978.

Instance(s): 20.

Acilius Glabrio, M'.

As Roman consul (191 BC), he defeated Antiochus III at Thermopylae (triumphed 190 BC) and besieged the Aetolians at Naupactus.

Literature: RE Acilius 35.

Instance(s): 39.

Acilius Strabo Clodius Nummus, L.

Imperial legate in command of *Legio III Augusta* (AD 116).

Literature: Thomasson 1996, 142.19; PIR² A83 +

http://www.bbaw.de/forschung/pir/addenda/A/0083.html.

Instance(s): 89.

Acilius Strabo, L.

Special legate of the emperors Claudius and Nero in *Cyrene* from AD 53-56.

Literature: PIR² 82 + http://www.bbaw.de/forschung/pir/addenda/A/0082.html;

Thomasson 1991, 77-78.

Instance(s): 62.

Aebutius Liberalis, Q.

Some scholars have conjectured that this centurion of *Legio XI* in *Dalmatia* is the same "Aebutius Liberalis" to whom Seneca dedicated his de beneficiis, although this association is not assured. This Aebutius Liberalis was a colleague of A. Resius Maximus in completing a boundary demarcation under A. Ducennius Geminus. He also completed another on his own under a legate whose name is lost.

Literature: PIR² A111.

Instance(s): 3, 80.

Aelius Caesar, L.

Hadrian's adopted son (summer 136).

Literature: PIR² C605.

Instance(s): 96.

Aelius Modestus, Sex.

Served on the *consilium* of L. Helvius Agrippa in AD 69. Otherwise unknown.

Literature: PIR² A223.

Instance(s): 22.

Aemilius Iuncus, L.

Following his suffect consulate in AD 127, he served as a special legate (*corrector*) to the free cities in Greece from AD 132-135.

Literature: PIR² A0355 + http://www.bbaw.de/forschung/pir/addenda/A/0355.html. Instance(s): 43.

Ailianos Earinos

An otherwise unknown surveyor involved in a boundary demarcation in the late 3rd century.

Instance(s): 54.

Anicius Faustus, Q.

Imperial legate in command of Legio III Augusta from at least AD 197 to AD 201

Literature: PIR² A595+; Thomasson 1996, 170.50.

Instance(s): 74.

Annius Maximus, Q.

Proconsul of Macedonia in AD 114.

Literature: Thomasson 1984 23:16; PIR² Addenda:

http://www.bbaw.de/forschung/pir/addenda/alia/IRN1401.html.

Instance(s): 37.

Anternius An[to]ninus (or Au[to]ninus)

Tribunus cohors I Cilicum in Moseia Inferior between AD 176-179.

Literature: Devijver 1976 A124.

Instance(s): 98.

Antistius Rusticus, L.

Proconsul of Baetica in AD 84.

Literature: PIR² A765+; Thomasson 1984 4:11 and 29:14.

Instance(s): 26.

Antius A. Iulius Quadratus, C.

Governor (imperial legate) of *Syria* in AD 102.

Literature: Thomasson 1984 33:40; PIR² I507.

Instance(s): 35.

Antius Rufinus, M(?).

An otherwise unknown individual who placed boundaries between the *Moesoi* and *Thrakoi* on the authority of the emperor Hadrian. He was not acting as governor of the province, but was probably on a special mission for this purpose.

Literature: PIR² A784 + http://www.bbaw.de/forschung/pir/addenda/A/0784.html; Thomasson 1984 20:78 + 22:16; Aichinger 1982, 198-199.

Instance(s): 95.

Antoninus Pius (emperor)

Instance(s): 46, 43, 35, 45, 47.

Antonius Naso, L.

A centurion and favorite of Nero, who rose to the rank of *tribunus praetorianorum* under Galba, Naso is known to have served as procurator of *Pontus et Bithynia* during at least the year AD 78. Some scholars think that he was the L. Antonius who seems to have settled a boundary between *Thasos* and *Philippi*, probably under the Flavians, (but others suggest an alternative identification: L. Antonius Saturninus). The choice of Naso has led some to list him as the proconsul of *Macedonia* under Vespasian; however, Papazoglou argues strenuously that the Antonius who settled the dispute – whatever his identity – was was a special legate of Vespasian.

Literature: PIR² A854 + http://www.bbaw.de/forschung/pir/addenda/A/0854.html; Thomasson 1984 23:40; Papazoglou 1979, 239-242.

Instance(s): 18.

Antonius Saturninus, L.

Adlected to the senate by Vespasian, Saturninus was possibly propraetorian imperial legate of *Iudaea* between AD 78 and 81, then probably suffect consul in AD 82, and ultimately rebelled against Domitian in AD 89 as legate in *Germania Superior*. Some scholars identify him as the L. Antonius who seems to have settled a boundary between *Thasos* and *Philippi*, probably under the Flavians, but see also L. Antoninus Naso.

Literature: PIR² A874 + http://www.bbaw.de/forschung/pir/addenda/A/0874.html; Papazoglou 1979, 239-242.

Instance(s): 18.

Appius Claudius Iulianus

Proconsul of Africa under Caracalla or Elagabalus.

Literature: Thomasson 1996, 86.117; PIR² C901.

Instance(s): 53.

Appuleius, Sex.

Proconsul of Asia, ca. 23-21 BC.

Literature: Thomasson 1984 26:4; PIR² A961 + addenda:

http://www.bbaw.de/forschung/pir/addenda/A/0961.html.

Instance(s): 61.

Arinius Modestus, C.

Proconsul of Creta et Cyrenae under Vespasian, possibly AD 73-75.

Literature: Thomasson 1984 38:30.

Instance(s): 62.

Aristoboulos

Brother of M. Iulius Agrippa I.

Literature: PIR² A1051.

Instance(s): 11.

Arruntius Aquila, M.

Suffect consul AD 77.

Literature: PIR² A1139.

Instance(s): 25.

Arruntius Camillus Scribonianus, L.

Governor (imperial legate) of *Dalmatia* between AD 40 and 42.

Literature: PIR² A1140 + http://www.bbaw.de/forschung/pir/addenda/A/1140.html;

Thomasson 1984 17.16.

Instance(s): 13.

Arruntius Flamma

An otherwise unknown prefect ($\xi\pi\alpha\rho\chi\circ\zeta$) cited in a letter of Flavius Sabinus to the city of *Histria*.

Instance(s): 16.

Articuleius Paetus, Q.

Consul ordinarius together with the emperor Trajan in AD 101

Literature: PIR² A1177+.

Instance(s): 34.

Articuleius Regulus, Q.

Praetorian legate of Augustus in Lusitania between 2 BC and AD 14

Literature: PIR² A1178+; Thomasson 1984 5:4; Alföldy 1969, 134.

Instance(s): 1.

Asiaticus

An otherwise unknown prefect ($\xi\pi\alpha\rho\chi\circ\varsigma$) cited in a letter of Flavius Sabinus to the city of Histria (Text 16.3).

Instance(s): 16.

Asinius Gallus, C.

Proconsul of Asia in 6-5 BC.

Literature: Thomasson 1984 26:11; PIR² A1299 +

http://www.bbaw.de/forschung/pir/addenda/A/1229.html.

Instance(s): 61.

Atidius Geminus

Governor of *Achaia* under Augustus or Tiberius, prior to AD 25. Attested only by our Text 10.1. He was probably a proconsul, and so served prior to AD 15 when the province was transferred from senatorial governance (Tacitus frequently uses the word *praetor* to mean *proconsul*, see Martin 1989, 139 sub 'praetoris').

Literature: PIR² A1343; Thomasson 1996 24:59.

Instance(s): 10.

Atilius Sabinus, T.

Styled *quaestor pro praetore*, in AD 69 he served on the *consilium* of L. Helvius Agrippa. Otherwise unknown.

Literature: PIR² A1306.

Instance(s): 22.

Atrius Clonius, Q.

Governor (imperial legate) of *Thracia*, AD 211-217

Literature: PIR² A1322; Thomasson 1984 22:49.

Instance(s): 52.

Auf[idius] Gallus

Otherwise unknown governor (imperial legate) of *Dalmatia* in AD 179. His name may perhaps have been Aur[elius] Gallus.

Literature: Thomasson 1984 17.42; PIR² 1387.

Instance(s): 49.

Augustus (emperor)

Instance(s): 69, 61, 1, 63.

Aurelius Fulvus, T.

Governor (imperial legate) of *Hispania Tarraconensis* under Vespasian, possibly AD 75-78.

Literature: Thomasson 1984 3:18; PIR² A1510.

Instance(s): 30.

Aurelius Gallus

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown. Thought to be an ancestor of later known Aurelii Galli (see PIR² A1515-1517).

Instance(s): 22.

Avidius Nigrinus, C.

Propraetorian imperial legate operating in *Achaia*, probably under Trajan.

Literature: PIR² A1408; Thomasson 1984 24:24; Rousset 2002, 144-147.

Instance(s): 39.

Avidius Quietus, T.

Proconsul of Asia AD 125-126.

Literature: Thomasson 1984 26:114; PIR² A1409.

Instance(s): 68.

Avilius Clemens, C.

Otherwise unknown individual appointed as a *iudex* in a boundary dispute in *Dalmatia* by M. Pompeius Silvanus.

Instance(s): 19.

Axius Aelianus, Q.

vir egregius and imperial procurator of the *ratio privata* in the province of *Mauretania Caesariensis* under Severus Alexander.

Literature: PIR² A1688 + http://www.bbaw.de/forschung/pir/addenda/A/1688.html.

Instance(s): 76, 102.

Baebius Tullus, L.

Proconsul of Asia in AD 110.

Literature: PIR² B29; Thomasson 1984 26:96.

Instance(s): 61, 36.

Blesius Taurinus

A soldier (and surveyor) assigned to *cohors VI* of the praetorian guard on the testimony of an epigraphic text preserved only in the *corpus agrimensorum*. I have not been able to identify him otherwise.

Instance(s): 45.

Blossius Nepos, M.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Bruttius Praesens, C.

Consul AD 153.

Literature: PIR² B165.

Instance(s): 35.

Caecilius Metellus Creticus Silanus, Q.

Governor (imperial legate) of Syria, ca. AD 13-17.

Literature: Thomasson 1984 33:15; PIR² C64.

Instance(s): 35.

Caecilius Simplex, Cn.

Proconsul of *Sardinia* in AD 67/68; the first proconsul after Nero discontinued the use of procurators as governors and returned the province to the Senate.

Literature: Thomasson 1984 2:8; PIR² I884.

Instance(s): 22.

Caelius Martialis

Otherwise unknown surveyor.

Instance(s): 76.

Caelius Niger

Otherwise unknown individual who provided access to official documents stemming from the resolution of a boundary dispute between *Doliche* and *Elimeia* in AD 101.

Instance(s): 34.

Caligula (emperor)

Instance(s): 15, 7, 9, 13, 8.

Calpurnius Longus, M.

Proconsul of *Achaia*, possibly under Hadrian. He may be identifiable with L. Marcius Celer M. Calpurnius Longus (PIR² M0221).

Literature: AE 1986.635; Camodeca 1996.

Instance(s): 43.

Calpurnius Piso, L.

Governor (imperial legate) of *Dalmatia* during the early years of Claudius' reign.

Literature: Thomasson 1984 17.19; PIR² C293.

Instance(s): 12.

Caracalla (emperor)

Instance(s): 53, 74, 100.

Cassi[us] Longinus

Appears to have been governor (probably proconsul) of *Achaia* or a special legate of the emperor sometime prior to the activity of Avidius Nigrinus. He is not yet securely attested by other evidence. The Longinus mentioned in the Nigrinus dossier has sometimes been identified instead with the famous jurist (under Claudius and Nero), L. Cassius Longinus (PIR² C501), although this opinion is not shared by all scholars.

Literature: Thomasson 1984 24:63; PIR² L337.

Instance(s): 39.

Cassius Dio, (L.?)

Consul II (ordinarius) in AD 229. The historian.

Literature: PIR² C492.

Instance(s): 101.

Cassius Maximus

Proconsul of Achaia, AD 116/117.

Literature: PIR² C508; Thomasson 1984 24:26.

Instance(s): 42.

Cassius Secundus, P.

Imperial legate in command of Legio III Augusta in AD 138

Literature: Thomasson 1996, 146.25; PIR² C521.

Instance(s): 81.

Charagonius Philopalaestrus

Otherwise unknown individual identified as the conductor publicus portori ripae Thraciae in a verdict delivered by M' Laberius Maximus in a dispute between Philopalaestrus and the city of *Histria*.

Instance(s): 16.

Claudianus Artemidorus

Unidentifiable landowner in the area of *Philippi* during the reign of Trajan.

Instance(s): 86.

Claudius (emperor)

Instance(s): 79, 15, 78, 12, 63, 62.

Claudius Censorinus

Imperial procurator in the province of *Thracia* in AD 184-185.

Literature: PIR² C830.

Instance(s): 99.

Claudius Clemens

Imperial procurator in *Corsica* under Vespasian, ca. AD 77.

Literature: PIR² C835.

Instance(s): 25.

Claudius L[---], Ti.

Otherwise unknown individual appointed as a *iudex* in a boundary dispute in *Dalmatia* by M. Pompeius Silvanus.

Instance(s): 19.

Claudius Philippus, M.

Otherwise unknown individual whose name appears on a fragmentary inscription from *Aunobari* (Text 41.2) which may record the members of a governor's *consilium* as part of a boundary dispute ruling (see Instance 41).

Instance(s): 41.

Claudius Timocrates

Otherwise unknown individual tasked by the emperor Hadrian to collect documents relevant to a dispute between the Delphians and the Thessalians about a harbor.

Instance(s): 70.

Clodius Capito Aurelianus, P.

Proconsul of *Macedonia* at an uncertain date, possibly under Trajan or Hadrian.

Literature: Thomasson 1984 23:45.

Instance(s): 29.

Clodius Celsus

An otherwise unknown legate who assisted the proconsul of *Asia* in implementing a demarcation of the sacred lands of Artemis at *Ephesus* in accordance with an edict of the emperor Domitian sometime between AD 84 and 87.

Instance(s): 61.

Clodius Granianus

Proconsul of Achaia, AD 118/119.

Literature: PIR² C1166; Thomasson 1984 24:28.

Instance(s): 42.

Cocceius Genialis, L.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Coelius Capella, L.

Otherwise unknown individual appointed as a *iudex* in a boundary dispute in *Dalmatia* by M. Pompeius Silvanus.

Instance(s): 19.

Coelius, M.

Otherwise unknown centurion(?) of *Legio VII*, appointed as a *iudex* in a boundary dispute in *Dalmatia* by L. Arruntius Camillus Scribonianus.

Instance(s): 13.

Commodus (emperor)

Instance(s): 49.

Constantius I Chlorus (emperor)

Reigned AD 293-306. Possibly *praeses* of *Dalmatia* at an uncertain date prior to AD 288 if the document included here is considered genuine.

Literature: PIR² F390.

Instance(s): 55.

Cordius Clemens, Q.

Otherwise unknown individual whose name appears on a fragmentary inscription from Aunobari (Text 41.2) which may record the members of a governor's *consilium* as part of a boundary dispute ruling (see Instance 41).

Instance(s): 41.

Cordus Felix, C.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Cornelius Balbus, L.

Proconsul of Africa, 21-20 BC.

Literature: Thomasson 1984 39:4; PIR² C1331; Thomasson 1996, 21.4.

Instance(s): 21.

Cornelius Dolabella, P.

Governor (imperial legate) of *Dalmatia* sometime between AD 14 and 20.

Literature: Thomasson 1984 17.14; PIR² C1348; Tansey 2000.

Instance(s): 3, 4, 5, 31, 6.

Cuspius Fadus, C.

Procuratorial governor of *Iudaea*, AD 44-46

Literature: PIR² C1636; Thomasson 1984 34:8.

Instance(s): 14.

Domitian (emperor)

Instance(s): 28, 69, 27, 61, 82, 26, 62.

Domitius Vitalis, M.

Served on the *consilium* of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Ducenius Geminus, Aulus

Governor (imperial legate) of *Dalmatia* between AD 62 and 68.

Literature: PIR² D201; Thomasson 1984 17.23.

Instance(s): 3, 17.

Egnatius Fuscus, Cn.

Scriba quaestorius at an unknown date and location (after AD 69), attested only in

22.1

Instance(s): 22.

Elagabalus (emperor)

Instance(s): 53.

Eppius, Q.

Otherwise unknown individual who served as a member of Nigrinus' consilium. His full name may have been Q. Eppius Fl(avius) Arrianus.

Literature: Rousset 2002, 146-147.

Instance(s): 39.

Fabius Pompeianus

An individual who provided a copy of a verdict delivered by the governor of *Moesia Inferior*, M'. Laberius Maximus. Some scholars have sought to equate him (assuming a misspelling) with Q. Fabius Postumius (PIR² F54 = Thomasson 1984 20:67), Maximus' successor as governor (see PIR² F52a). On the other hand, he may have been a scribe or similar functionary on Maximus' staff or at an archive in Rome.

Instance(s): 16.

Fabius Postuminus, Q.

Proconsul of *Asia*, AD 111/112.

Literature: PIR² F54; Thomasson 1984 26:97.

Instance(s): 61.

Flavius Arrianus, L.

The famous historian and philosopher from *Bithynia* (c. AD 86-160). He may have served as a member of Nigrinus' consilium.

Literature: PIR² F219; Stadter 1980; Rousset 2002, 146-147.

Instance(s): 39.

Flavius Eubulus, T.

An otherwise unknown individual who delivered a verdict on a dispute between the city of Daulis and a private party.

Instance(s): 42.

Flavius Monomitus, T.

Otherwise unknown imperial freedman and surveyor.

Instance(s): 10.

Flavius Sabinus, (T.)

Governor (imperial legate) of *Moesia* c. AD 53-60 (he served in this position for seven years, on the testimony of Tac. Hist 3.75).

Literature: PIR² F352; Thomasson 1984 20:18.

Instance(s): 16.

Flavius Skeles

Judge and boundary setter appointed by the governor of Thrace, C. Iulius Commodus, to emplace boundary markers. I cannot identify him elsewhere.

Instance(s): 47.

Gargilius Goddeus

decurion

Instance(s): 103.

Gellius Sentius Augurinus, Q.

Proconsul of Achaia or Macedonia sometime under Hadrian.

Literature: PIR² G0135; Thomasson 1984 23:22 and 24:30 with commentary and literature on the controversy..

Instance(s): 38.

Gennius Felix, M.

An *evocatus* (probably a surveyor) assigned to *Legio III Augusta* in the late first century. I have not be able to identify him elsewhere.

Instance(s): 74.

Geta (emperor)

Instance(s): 75, 74, 100.

Hadrian (emperor)

Instance(s): 85, 96, 38, 40, 43, 72, 73, 35, 93, 81, 95, 70, 42, 91, 92.

Helvidius Priscus, C.

Praetor AD 70, whose activities in Rome are well-documented by Tacitus. Probably the Helvidius serving as arbiter between *Histonium* and a private estate (although the arbiter may have been his son, PIR² H60).

Literature: PIR² H59.

Instance(s): 24.

Helvius Agrippa, L.

Proconsul of Sardinia in AD 68/69

Literature: PIR² H64.

Instance(s): 22.

Iucund(i)us Peregrinus

Governor (praeses) of Mauretania Sitifensis, probably between AD 340 and 350

Literature: PLRE 1, 688 s.v. "Iucundius Peregrinus 2".

Instance(s): 103.

Iulius [Plancius Varus?] Cornutus Tertullus, C.

Proconsul of *Africa* AD 116-117 or 117-118.

Literature: Thomasson 1996, 52.62.

Instance(s): 41.

Iulius Agrippa I, M.

Future king of *Iudaea*.

Literature: PIR² I131.

Instance(s): 11.

Iulius Catullinus, L.

Otherwise unknown individual whose name appears on a fragmentary inscription from Aunobari (Text 41.2) which may record the members of a governor's *consilium* as part of a boundary dispute ruling (see Instance 41).

Instance(s): 41.

Iulius Commodus Orfitianus, C.

Governor (imperial legate) of *Thracia* in AD 155.

Literature: Thomasson 1984 22:25 + addenda 1995 no. 2109a = 2060; PIR² I271.

Instance(s): 47.

Iulius Cordinus Caius Rutilius Gallicus, Q.

Special imperial legate in the province of Africa, AD 74. There is significant scholarly debate as to his role: a special mission (likely a census), or a provincial governorship in lieu of a proconsul in order to reorganize the province. See cited literature for details. The provincial fasti are far from complete: the nearest attested proconsuls served in the years AD 72-73 and AD 77-78.

Literature: PIR² R.248; Thomasson 1996, 43-44.48; Thomasson 1984 39:49.

Instance(s): 21, 83.

Iulius Dionysius

Instance(s): 54.

Iulius Erucius Clarus Vibianus, C.

Consul ordinarius AD 193.

Literature: PIR² E97.

Instance(s): 50.

Iulius Ferox (primus pilus)

Otherwise unknown solider of *Legio XI Claudia*, who placed boundary markers on the order of the governor of *Moesia Inferior* between AD 161 and 164.

Instance(s): 48.

Iulius Frontinus, Sex.

Proconsul of *Asia* between AD 84 and 87.

Literature: Thomasson 1984 26:73; PIR² I322.

Instance(s): 61.

Iulius Frugi, Ti.

Proconsul of the province of Lycia et Pamphylia between AD 161-166.

Literature: Thomasson 1996 30:43a (2207); PIR² I330.

Instance(s): 97.

Iulius Iulianus

Otherwise unknown procurator, serving as governor of the province of *Phrygia et Caria*, probably between AD 253-260 or AD 282 - 284.

Instance(s): 54.

Iulius Planta

An *amicus* of the emperor Claudius, sent to investigate a dispute, otherwise unknown.

Literature: PIR² I471.

Instance(s): 15.

Iulius Proculus, C.

Suffect consul of AD 109, he delivered a verdict as *iudex* in a boundary dispute.

Literature: Thomasson 1984 4:19; PIR² I497; CIL 2².7.776.

Instance(s): 40.

Iulius Regillus

Otherwise unattested individual involved in a land dispute with the city of *Aunobari*, sometime after AD 117.

Instance(s): 41.

Iulius Romulus, M.

Styled *legatus pro praetore* (*provinciae Sardiniae?*) in AD 69, he served in the *consilium* of the proconsul of Sardinia, L. Helvius Agrippa.

Literature: PIR² I522.

Instance(s): 22.

Iulius Severus, C.

See discussion at Instance 91.

Literature: PIR² I573; Thomasson 1991, 78; Thomasson 1984 s.v. "Iulius Severus" in

index.

Instance(s): 91.

Iulius Victor

Otherwise unknown evocatus and surveyor.

Instance(s): 38.

Iulius Vitalis

Otherwise unknown centurion who placed boundary markers in *Moesia Inferior* in AD 229.

Instance(s): 101.

Iunius Rufinus, A.

Consul AD 153

Literature: PIR² I806.

Instance(s): 35.

Iunius Silanus, M.

Consul ordinarius in AD 46 for the whole year.

Literature: PIR² I833.

Instance(s): 15.

Iuventius Rixa, M.

procurator (ducenarius) Augusti (provinciae Sardiniae) ca. AD 67. Probably the last procuratorial governor of Sardinia prior to Nero's decision to turn the province back to the Senate and permit its governance by proconsuls.

Literature: PIR² I884.

Instance(s): 22.

Kallistratos son of Demetrios

Otherwise unknown representative of the city of Histria cited in a letter of the governor T. Plautius Silvanus Aelianus (Text 16.5).

Instance(s): 16.

Laberius Maximus, Manius

Governor (imperial legate) of *Moesia Inferior* in AD 100.

Literature: PIR² L9; Thomasson 1984 20:66.

Instance(s): 16.

Lartidius, Sex.

Known only from the bilingual inscriptions recording the erection of a wall for the temple of Diana and an Augusteum in Ephesus, he was a legate of C. Asinius Gallus in *Asia* in 6-5 BC.

Literature: PIR² L116.

Instance(s): 61.

Licinius Secundus, P.

Otherwise unknown imperial procurator, active on the island of Crete during the reign of Nero.

Literature: PIR² L242.

Instance(s): 63.

Liv[- - - ?], T.

Member of Nigrinus' consilium. His name is variously restored as T. Liv[ius] or T.

Liv[ienus], but he cannot be securely identified.

Literature: Rousset 2002, 146 note 517.

Instance(s): 39.

Lucretius Clemens, P.

Served on the *consilium* of L. Helvius Agrippa in AD 69. Otherwise unknown.

Literature: PIR² L405.

Instance(s): 22.

Lusius Fidus, M.

Served on the *consilium* of L. Helvius Agrippa in AD 69. Otherwise unknown.

Literature: PIR² L433.

Instance(s): 22.

Lutatius Sabinus, M.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Manilius Caecilianus

A *cornicularius* of an unknown prefect, active in *Numidia* in the late first century AD.

I have not been able to identify him elsewhere.

Instance(s): 74.

Mantennius Sabinus, L.

Governor (imperial legate) of *Moesia Inferior*, AD 227-229.

Literature: Thomasson 1984 20:121; PIR² M172.

Instance(s): 101.

Marcellus (proconsul)

Proconsul of *Africa* sometime after C. Iulius Cornutus Tertullus (after AD 117).

Literature: Thomasson 1996, 53.64.

Instance(s): 41.

Marcus Aurelius (emperor)

Instance(s): 43, 97.

Marius Maternus, C.

Otherwise unknown centurion of *Legio VII Claudia Pia Fidelis* who carried out a review and restoration of boundaries under L. Calpurnius Piso in *Dalmatia*.

Instance(s): 12.

Marius Perpetuus, L.

An individual whose name appears on a fragmentary inscription from Aunobari (Text 41.2) which may record the members of a governor's *consilium* as part of a boundary dispute ruling (see Instance 41). He is further described thereon as *scriba quaestorius* and, although he does not seem to have merited his own entry in PIR², he is thought to have been the father of L. Marius Perpetuus, L. filius (PIR² M313). The younger Perpetuus' equestrian career under the emperor Marcus Aurelius is well-documented and included numerous procuratorial posts and a minor pontificate.

Instance(s): 41.

Martialis libertus Augusti

Unidentifiable imperial freedman, possibly a surveyor.

Instance(s): 99.

Martius Verus, P.

Consul ordinarius (a second time) together with Commodus in AD 179.

Literature: PIR² M348.

Instance(s): 49.

Maturus procurator Augusti

An imperial procurator named in a Flavian-era curse tablet from *Hispania Tarraconensis*. He cannot be identified.

Literature: IRC 3, 162.

Instance(s): 30.

Maximius Attianus

A senator, known to have served as governor (imperial legate) of Germania Superior in AD229. Christol 1998 provisionally identifies him as a quaestor (Maxi/mius Atti]anus q(uaestor) pr(o) pr(aetore))in the province of Asia who was involved in an authoritative demarcation there.

Literature: PIR² M393; Christol 1998, 150-151.

Instance(s): 100.

Meidias son of Artemidoros

Otherwise unknown representative of the city of Histria cited in a letter of the governor T. Plautius Silvanus Aelianus (Text 16.5).

Instance(s): 16.

Memmios, son of Antiochos

A private individual involved in a dispute with the city of *Daulis* during the reign of the emperor Hadrian.

Instance(s): 42.

Messia Pudentilla

Otherwise unknown landowner in *Moesia Inferior* in the late first century AD.

Instance(s): 51.

Messius Campanus, P.

Otherwise unknown procurator of Domitian in Crete in AD 84.

Literature: PIR² M516.

Instance(s): 27.

Mestrios Aristonymos

An individual who was evidently given to *Thisbe* and *Coronea* as a judge in a boundary dispute under the emperor Hadrian. Apparently otherwise unknown. Instance(s): 43.

Metellus, M.

Possibly a *mensor* or Roman official who, prior to the legal battles chronicled in 22.1, prepared or authorized a bronze map depicting the boundaries of the territory of the *Patulcenses* in *Sardinia*. Otherwise unknown.

Instance(s): 22.

Minicius Natalis, L.

Legate in the province of *Africa* on the staff of his father (not later than AD 100); imperial legate in command of *Legio III Augusta* (AD 105); proconsul of *Africa* (AD 121).

Literature: Thomasson 1996, 54.65, 106.21, 140.17; Navarro 1999.

Instance(s): 89, 90.

Mucius Publicus Verus, P.

Known otherwise as an equestrian in military service, Verus carried out a demarcation of the fields of the *Bendiparoi* somewhere near the border of *Thracia* and *Moesia Inferior*. His office is not indicated on the boundary markers, but an honorific inscription from *Albingaunum* (mod. Albegna in Italy) indicates that he served as *censitor provinciae Thraciae* at an uncertain date (Pflaum posited AD 212-217), and it is often argued that this boundary demarcation was carried out in that capacity.

Literature: PIR² M696; Pflaum 1960, 1069; Devijver 1976 M70.

Instance(s): 52.

Munatius Gallus, L.

Imperial legate in command of *Legio II Augusta* (AD 100-102).

Literature: Thomasson 1996, 139.16.

Instance(s): 89.

Neratius Bassus, L.

Otherwise unknown individual whose name appears on a fragmentary inscription from Aunobari (Text 41.2) which may record the members of a governor's consilium as part of a boundary dispute ruling (see Instance 41).

Instance(s): 41.

Nero (emperor)

Instance(s): 79, 64, 63, 62.

Nonius Asprenas Caesius Cassianus, P.

Proconsul of *Asia* sometime during the reign of Domitian (not before AD 84).

Literature: Thomasson 1984 26:83; PIR² N124.

Instance(s): 61.

Novius Rufus, L.

Propraetorian imperial legate in *Hispania Citerior* under Commodus or Pertinax. He delivered a verdict in a dispute that may have involved boundaries. He has been suggested as the "Rufus legatus" named on a series of curse tablets from the area of *Emporion*, but this identification is debated.

Literature: PIR² N189.

Instance(s): 30, 50.

Otacilius Sagitta

Imperial procurator on Corsica under Vespasian, AD 77

Literature: PIR² 0175.

Instance(s): 25.

Ovinius Tertullus, C.

Governor (imperial legate) of *Moesia Inferior* under Severus and Caracalla, sometime between AD 98 and 102.

Literature: PIR² 0191; Thomasson 1984 20:107; Thomasson 1999 20:107.

Instance(s): 51.

P. Helvius Pertinax

Governor of *Moesia Inferior* (or perhaps both *Moesiae* in AD 176-179

Literature: PIR² H73; Thomasson 1984 20:27 and 20:98; Lippold 1983.

Instance(s): 98.

Paconius Agrippinus, Q.

Quaestor of the province of Creta et Cyrene for a second time under Claudius, where he is said to have built roads and pathways (ἀνδροβάμονας), and is called ὁροθέτης. Exiled by nero and recalled by Vespasian, he was sent as a special imperial legate to Cyrenaica to oversee the restoration to the Roman people of land occupied by private persons.

Literature: PIR2 P27; Thomasson 1991, 78.

Instance(s): 62.

Papenius Salutaris, P.

Otherwise unknown individual whose name appears on a fragmentary inscription from Aunobari (Text 41.2) which may record the members of a governor's *consilium* as part of a boundary dispute ruling (see Instance 41). The inscription further describes him as *scriba librarius*.

Instance(s): 41.

Papius Habitus, C.

Otherwise unknown member of Nigrinus' consilium.

Literature: Rousset 2002, 146 note 517.

Instance(s): 39.

Peregrinus, Augusti servus

Imperial slave and surveyor under Hadrian, otherwise unknown.

Instance(s): 85.

Petillius Firmus, C.

Tribunus militium of Legio III Flavia Felix in Dalmatia under [L. Plo]tius Pegasus.

Literature: PIR² P261.

Instance(s): 20.

Petronius Celer, C.

Procuratorial governor of *Mauretania Caesariensis* in AD 137. Also seems to have acted in procuratorial capacity in *Mauretania Sitifensis* where he assigned boundaries to the *Numidae*, *ex indulgentia imperatoris*.

Literature: PIR² P277; Thomasson 1984 41:11.

Instance(s): 96, 73.

Petronius Umber, Q.

Governor (imperial legate) of *Galatia* or of *Lycia et Pamphylia* (ca. AD 54/55).

Literature: PIR² P318.

Instance(s): 79.

Pinarius Apollinaris

Otherwise unknown individual assigned by Tiberius to review dispute between *Como* and *Bergalei*. He was still alive under Gaius.

Literature: PIR² P408.

Instance(s): 15.

Pinarius Cornelius Clemens, Cn.

Imperial legate in command of the Roman army in Germani Superior in AD 74.

Literature: PIR² C1341.

Instance(s): 84.

Plautius Silvanus Aelianus, T.

Governor (imperial legate) of *Moesia* ca. AD 60-67.

Literature: PIR² P480; Thomasson 1984 20:20 cf. 20:19.

Instance(s): 16.

Plotius Maximus, C.

Otherwise unknown individual ordered to make a judgement (i.e., appointed as *iudex*) in a boundary dispute in *Dalmatia* by the governor [---]s Bassus.

Instance(s): 32.

Plotius Plebeius

Otherwise unknown property owner in the vicitiny of *Cnossus* in the late first century AD. He was likely a member of a prominent family otherwise known to be citizens of the Roman colony at *Cnossus*.

Instance(s): 27.

Plotius Verus, L.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Pompeius Ferox, Cn.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Pompeius Longus Gallus, C.

Consul ordinarius AD 49.

Literature: PIR² P624.

Instance(s): 78.

Pompeius Primus, Q.

Otherwise unknown individual whose name appears on a fragmentary inscription from Aunobari (Text 41.2) which may record the members of a governor's *consilium* as part of a boundary dispute ruling (see Instance 41).

Instance(s): 41.

Pompeius Silvanus Staberius Flavianus, M.

Governor (imperial legate) of *Dalmatia* in AD 69.

Literature: PIR² P654; Thomasson 1984 17.24.

Instance(s): 19.

Pompeius Vopiscus C. Arruntius Catellius Celer, L.

Suffect consul AD 77.

Literature: PIR² P662.

Instance(s): 25.

Pomponius Bassus, T.

Probably propraetorian imperial legate on the staff of the proconsul of Asia in AD 79-

80. See catalog entry for Instance 36.

Literature: PIR² P705; Thomasson 1991, 130.114.

Instance(s): 36.

Pomponius Carisianus, L.

Otherwise unknown individual whose name appears on a fragmentary inscription from Aunobari (Text 41.2) which may record the members of a governor's consilium as part of a boundary dispute ruling (see Instance 41). The inscription further describes him as scriba librarius.

Instance(s): 41.

Pomponius Flaccus, L.

Governor of *Syria* AD 32-33

Literature: Thomasson 1984 33:19; PIR² P715.

Instance(s): 11.

Pomponius Gallus Didius Rufus, C.

Proconsul of Creta et Cyrene, AD 88-89.

Literature: PIR² P716.

Instance(s): 62.

Pomponius Pius, C.

Governor (imperial legate) of *Moesia* under Nero, probably AD 67-68.

Literature: Thomasson 1984 20:21; PIR² P745.

Instance(s): 16.

Pomponius Rufus, Q.

Propraetorian imperial legate in the province of *Hispania Tarraconensis* (most probably a *legatus iuridicus*), under Vespasian. He may be the Rufus named on curse tablets from the area of *Emporion*, but see L. Novius Rufus.

Literature: PIR² P749.

Instance(s): 30.

Pontius Laelianus Larcius Sabinus, M.

Governor (imperial legate) of Syria probably AD 150-154.

Literature: PIR² P806; Thomasson 1984 33:54.

Instance(s): 35.

Postumius Acilianus, P.

Imperial procurator (ducenarius) in Syria in AD 102.

Literature: PIR² P883.

Instance(s): 35.

Publilius Memorialis, (L.?)

Imperial procurator in *Corsica* under Vespasian, ca. AD 74?

Literature: PIR² P1053.

Instance(s): 25.

Pupius Praesens, L.

Procurator in the province of *Galatia* under Claudius and Nero (exact dates uncertain, but at least AD 54/55)

Literature: PIR² P1087.

Instance(s): 79.

Raecius Libo, P.

Otherwise unknown individual appointed as a *iudex* in a boundary dispute in *Dalmatia* by M. Pompeius Silvanus.

Instance(s): 19.

Resius Maximus, Aulus

Otherwise unknown centurion of *Legio XI* who carried out at least one boundary demarcation in *Dalmatia*. Note his colleague Q. Aebutius Liberalis.

Instance(s): 3.

Rutilius Gallicus, C.

Instance(s): 83.

Sa[lvius], L.

Otherwise unknown centurion(?) of *Legio XI*, appointed as a *iudex* in a boundary dispute in *Dalmatia* by L. Volusius Saturninus.

Instance(s): 9.

Sabinius Barbarus, T.

Legate in command of *Legio III Augusta* in AD 116-117.

Literature: Thomasson 1996, 142.20.

Instance(s): 71.

Sempronius Campanus Fidentinus

Unidentifiable individual mentioned in a group of Flavian-era curse tablets from Hispania Tarraconensis. His gentilicum and cognomen are not uncommon in the area of the find.

Literature: IRC 3, 162.

Instance(s): 30.

Sempronius Flaccus, L.

Otherwise unknown individual whose name appears on a fragmentary inscription from Aunobari (Text 41.2) which may record the members of a governor's *consilium* as part of a boundary dispute ruling (see Instance 41).

Instance(s): 41.

Sempronius, L.

Proconsul of *Creta et Cyrenae* in AD 191/192 or AD 192/193. He has been provisionally identified with a proconsul of *Asia* (ca. AD 209), whose name is partially preserved in a boundary-related inscription ([--- Sem]pronio Senecione [proconsule ---]).

Literature: Thomasson 1984 38:49; Christol 1998, 151-161.

Instance(s): 100.

Sentius Caecilianus, Sex.

Imperial legate in command of *Legio III Augusta* (AD 73/74).

Literature: Thomasson 1996, 135.5, 199.6.

Instance(s): 83.

Septimius Severus (emperor)

Instance(s): 75, 74, 100.

Serius Verus, Sex.

Otherwise unknown individual whose name appears on a fragmentary inscription

from Aunobari (Text 41.2) which may record the members of a governor's

consilium as part of a boundary dispute ruling (see Instance 41). The inscription

further describes him as a *haruspex*.

Instance(s): 41.

Servilius Fabianus Maximus, M.

Appears to have served as governor, back to back, of *Moseia Inferior* and *Moesia*

Superior between AD 161 and 164, but the order in which he did so is a matter of

scholarly debate.

Literature: Thomasson 1984 20:44 and 29:93.

Instance(s): 48.

Severus Alexander (emperor)

Instance(s): 75, 76, 101.

Sosius Falco, Q.

consul ordinarius AD 193.

Literature: PIR² P655.

Instance(s): 50.

Stertinius Rufus, M.

Son of M. Stertinius Rufus. He served on the *consilium* of L. Helvius Agrippa in AD

69. Otherwise unknown.

Instance(s): 22.

Stertinius Rufus, M.

Father of M. Stertinius Rufus. He served on the *consilium* of L. Helvius Agrippa. Otherwise unknown.

Instance(s): 22.

Suedius Clemens, T.

Tribune of the praetorian guard who, on Vespasian's authority, adjudicated disputes at *Pompeii* in the course of restoring public land that had been occupied by squatters.

Literature: Jiménez de Furundarena 1999; Franklin 2001, 156-194.

Instance(s): 65.

Suellius Flaccus, Cn.

Imperial legate in command of *Legio III Augusta* in AD 87.

Literature: Thomasson 1996, 138.12.

Instance(s): 28.

Sueto, M.

Otherwise unknown centurion(?) of *Legio XI*, appointed as a *iudex* in a boundary dispute in *Dalmatia* by L. Volusius Saturninus.

Instance(s): 9.

Sulpicius Camerinus Pythicus, Q.

Suffect consul in AD 46.

Literature: RE s.v. Sulpicius 30.

Instance(s): 15.

Terentius Gentianus, D.

Although there has been much debate on the part of modern scholars as to what sort of imperial legate he was when he carried out a boundary demarcation in Macedonia, it seems most likely that he was there directing a census during the reign of Hadrian (he is named *cens(itor) prov(inciae) Mac(edoniae)* in an honorific inscription: CIL 2.1463 = ILS 1046).

Literature: Thomasson 1984 23:19 sub "Octavius Antoninus" (with literature); Thomasson 1991, 87 and 95.

Instance(s): 93.

Terentius Tullius Geminus, C.

Governor (imperial legate) of *Moesia* between AD 47 and 53 (probably serving AD 50-53)

Literature: Thomasson 1984 20:17.

Instance(s): 16.

Tiberius (emperor)

Instance(s): 15.

Tillius Sassius, Q.

An arval brother by AD 63.

Literature: RE s.v. Sassius 7.

Instance(s): 24.

Titius Geminus, S.

Otherwise unknown *princeps posterior* of *Legio VII*, who placed boundaries in *Dalmatia* in accordance with an edict of P. Cornelius Dolabella.

Instance(s): 3.

Titus (emperor)

```
Instance(s): 27.
```

Trajan (emperor)

```
Instance(s): 89, 87, 39, 16, 83, 90, 71, 35, 86, 88, 33, 61, 34, 37.
```

Trebius Secundus, L.

Otherwise unknown *praefectus castrorum* under L. Volusius Saturninus in *Dalmatia*. Instance(s): 7.

Trebonianus Gallus (emperor)

```
Instance(s): 81.
```

Trebonius Proculus Mettius Modestus, C.

Proconsul of *Asia*, AD 119-120.

Literature: Thomasson 1984 26:108; PIR² M568.

Instance(s): 68.

Tullius Capito Pomponianus Plotius Firmus, C.

Either a special legate of the emperor or legate in command of *Legio III Augusta*, probably before holding the suffect consulate in AD 84.

Literature: Thomasson 1996, 136.7.

Instance(s): 85, 81.

Turannius Priscus, C.

Propraetorian legate who settled a boundary dispute in *Macedonia* as a *iudex datus* of the proconsul in AD 114. Otherwise unknown.

Literature: RE Suppl 14 (1974) 818 s.v. Turranius 11a; Thomasson 1991, 139.213.

Instance(s): 37.

Turpilius Dexter, L.

Proconsul of Creta et Cyrenae in AD 64-65 or 65-66.

Literature: Thomasson 1984 38:24.

Instance(s): 64.

Tuscenius Felix

A *primus pilus iterum*, attested only by a document preserved in the *corpus agrimensorum*. Dobson accepts him as genuine and assumes he was of Italic origin and was assigned to a unit in or near Rome.

Literature: Dobson 1978, 27 and 89.

Instance(s): 45.

Valeria Atticilla

Otherwise unattested owner of an estate adjoining the territory of the Musulamii Instance(s): 89.

Valeria L. F. Faventina

Attested in the vicinity of Barcelona and Tarraco in the late second century (Text 50.1 and CIL 2.4591).

Literature: RIT, 78.

Instance(s): 50.

Valerius Faustus, C.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Valerius Iustus

Otherwise unknown individual (probably a surveyor) who conducted a *determinatio* between the Delphoi and the Ambrossioi under the direction of C. Cassius Longinus (see Instance 39).

Instance(s): 39.

Valerius Peplus, L.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Valerius Secundus, P.

Otherwise unknown individual appointed as a *iudex* in a boundary dispute in *Dalmatia* by M. Pompeius Silvanus.

Instance(s): 19.

Valerius Severus, C.

Proconsul of *Achaia*, AD 117/118.

Literature: RE s.v. Valerius 342; Thomasson 1984 24:27.

Instance(s): 42.

Valerius Valens

Otherwise unknown centurion and veteran who received a verdict regarding a blocked *limes* in *Dalmatia* from Auf[idius?] Gallus in AD 179.

Instance(s): 49.

Valerius Victor, C.

Otherwise unknown praetorian legate (of the pronconsul of Asia) and "praetor designate" who implements a boundary demarcation between two villages.

Instance(s): 36.

Venuleius Pataecius, L.

Procuratorial governor of *Thracia* under Vespasian.

Literature: Thomasson 1984 22:2.

Instance(s): 18.

Veranius, Q.

Consul ordinarius AD 49.

Literature: RE s.v. Veranius 3.

Instance(s): 78.

Verginius [P]ub[li]anus or [R]ub[ri]anus

An otherwise unknown individual, appointed as a *iudex* by the emperor Trajan in a boundary dispute between *Doliche* and *Elimeia* in AD 101.

Instance(s): 34.

Verus, L. (emperor)

Instance(s): 97.

Vespasian (emperor)

Instance(s): 21, 65, 83, 66, 81, 20, 67, 84, 82, 62.

Vetulenus Civica Cerialis, C.

Proconsul of *Asia* during the middle years of Domitian's reign, ca. AD 88.

Literature: Thomasson 1984 26:74.

Instance(s): 61.

Veturius Felix, D.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Vexarus, C.

```
Instance(s): 98.
```

Vibius Marsus, C.

Proconsul of Africa AD 27-30 (or 26-29).

Literature: Thomasson 1996, 31.24.

Instance(s): 87.

Vigellius Crispinus, L.

Witness (*signator*) to the decision of L. Helvius Agrippa in AD 69. Otherwise unknown.

Instance(s): 22.

Vindius Verianus, M.

Praefectus classis Flaviae Moesicae ca. AD 100

Literature: RE Suppl. 14 s.v. Vindius 2.

Instance(s): 51.

Volusianus (emperor)

Instance(s): 81.

Volusius Saturninus, L.

Governor (imperial legate) of *Dalmatia* sometime between AD 23 and 37.

Literature: Thomasson 1984 17.15.

Instance(s): 7, 9, 8, 12.

Volussius Crocus

An unidentifiable landowner somewhere in *Latium* who was involved in a land dispute with the city of *Ostia* at an indeterminate date.

Instance(s): 60.

This page intentionally left blank.

CONCORDANCE OF EDITIONS

AAA 29.59 = Text 89.11	AE 1907.21 = Text 89.4
AE 1890.12 = Text 7.1	AE 1907.5 = Text 102.1
AE 1890.13 = Text 7.2	AE 1908.246 = Text 81.21
AE 1891.17 = Text 12.1	AE 1910.20 = Text 87.17
AE 1894.146 = Text 67.4	AE 1910.79 = Text 17.1
AE 1894.65 = Text 83.9	AE 1910.80 = Text 5.1
AE 1895.104 = Text 47.1	AE 1911.134 = Text 57.1
AE 1895.27 = Text 46.1	AE 1912.148 = Text 83.3
AE 1895.68 = Text 96.1	AE 1912.149 = Text 83.4
AE 1897.73 = Text 105.1	AE 1912.150 = Text 83.5
AE 1898.39a = Text 89.5	AE 1912.151 = Text 83.6
AE 1898.39b = Text 89.7	AE 1913.151 = Text 81.28
AE 1898.42 = Text 56.1	AE 1913.2 = Text 34.1
AE 1898.89 = Text 86.1	AE 1913.3 = Text 40.1
AE 1901.240 = Text 63.2	AE 1914.231 = Text 81.11
AE 1902.106 = Text 95.6	AE 1919.10 = Text 16.1
AE 1902.44 = Text 83.1	AE 1919.14 = Text 51.2
AE 1904.144 = Text 71.1	AE 1919.14 = Text 51.1
AE 1905.164 = Text 80.1	AE 1919.22 = Text 64.1
AE 1905.185 = Text 87.1	AE 1919.91 (Latin) = Text 62.10
AE 1907.19 = Text 89.1	AE 1919.92 (Greek) = Text 62.10
AE 1907.20 = Text 89.6	AE 1919.93 = Text 62.11

AE 1921.38 = Text 41.1	AE 1954.188 = Text 62.16
AE 1921.39 = Text 41.2	AE 1954.88 = Text 1.1
AE 1922.73 = Text 101.2	AE 1957.175 = Text 81.2
AE 1923.26 = Text 89.3	AE 1957.333 = Text 98.1
AE 1924.57 = Text 93.1	AE 1960.349 = Text 101.1
AE 1929.71 = Text 46.2	AE 1965.1 = Text 99.2
AE 1933.123 = Text 61.11	AE 1965.2 = Text 99.1
AE 1934.260 (Latin) = Text 62.3	AE 1965.206 = Text 37.1
AE 1934.261 (Latin) = Text 62.13	AE 1965.233 = Text 81.13
AE 1936.137 = Text 81.3	AE 1966.425 = Text 61.4
AE 1936.28 = Text 83.7	AE 1966.486 = Text 23.1
AE 1937.170 = Text 72.2	AE 1967.355 = Text 20.1
AE 1937.171 = Text 72.1	AE 1967.531 = Text 62.15
AE 1938.144 = Text 91.1	AE 1968.469 = Text 88.1
AE 1939.160 = Text 81.7	AE 1969/70.567 = Text 48.1
AE 1939.161 = Text 81.23	AE 1969/70.635 = Text 27.1
AE 1939.178 = Text 35.1	AE 1969/70.696 = Text 81.1
AE 1939.179 = Text 35.3	AE 1971.80 = Text 67.6
AE 1940.70 = Text 28.1	AE 1974.677 = Text 62.4
AE 1941.81 = Text 104.1	AE 1974.682 = Text 62.2
AE 1942-43.35 = Text 85.1	AE 1974.683 = Text 62.14
AE 1945.85 = Text 66.1	AE 1974.684 = Text 62.6
AE 1946.38 = Text 74.1	AE 1977.440 = Text 26.1

AE 1977.845 = Text 62.7	AE 1997.1345 = Text 34.1
AE 1979.552 = Text 52.1	AE 1997.1448 = Text 100.1
AE 1979.648 = Text 21.4	AE 1997.1588 = Text 87.16
AE 1979.649 = Text 21.3	AE 1998.1361 = Text 100.1
AE 1982.544 = Text 26.1	AE 1999.1592 = Text 36.1
AE 1982.896 = Text 54.1	AE 1999.1815 = Text 89.9
AE 1983.445 = Text 15.1	AE 2000.1590 = Text 62.12
AE 1985.729 = Text 95.3	AE 2000.1629 = Text 89.2
AE 1985.730 = Text 95.4	Aichinger 1982, 194-195.1 = Text 84.1
AE 1985.733 = Text 95.5	Aichinger 1982, 195.2 = Text 27.1
AE 1985.972 = Text 75.1	Aichinger 1982, 195-197.3 = Text 34.1
AE 1986.323 = Text 82.1	Aichinger 1982, 197-198.4 = Text 91.1
AE 1986.334c = Text 26.1	Alföldy 1969, 134 = Text 1.1
AE 1986.363 = Text 40.1	Alföldy 1991 = Text 61.4
AE 1987.391 = Text 60.1	Alí 1996 = Text 62.5
AE 1989.702 = Text 68.6	Bammer 1974, 108 = Text 61.4
AE 1989.852 = Text 81.14	Banev 1981 = Text 95.4
AE 1991.1502 = Text 61.4	Banev 1981, no. 1 = Text 95.3
AE 1992.1521 = Text 29.1	BCTH 1896.213a = Text 89.5
AE 1992.1533 = Text 88.1	BCTH 1896.213b = Text 89.7
AE 1995.1229 = Text 6.1	BCTH 1901, 413 = Text 83.1
AE 1995.1230 = Text 6.2	BE 1966.239 = Text 37.1
AE 1995.1633 = Text 62.5	Bean 1959, 84-85.30X = Text 79.2

Bean 1959, 84-85.30Y = Text 79.3	Burton 2000 no. 14 = Instance 13
Bean 1959, 86-87.30Z = Text 79.4	Burton 2000 no. 15 = Instance 12
Betz 1938, 30 n. 1 and 32 n. 7 = Text 3.5	Burton 2000 no. 16 = Instance 3
Betz 1938, 30-31 no. 3 = Text 7.1	Burton 2000 no. 17 = Instance 17
Betz 1938, 33 n. 8 = Text 80.1	Burton 2000 no. 18 = Instance 19
Betz 1938, 33-34 no. 9 = Text 17.1	Burton 2000 no. 19 = Instance 20
Betz 1938, 34 no. 11 = Text 31.1	Burton 2000 no. 20 = Instance 49
Bouchenaki 1977 = Text 75.1	Burton 2000 no. 21 = Instance 16
Božilova 1985 = Text 95.5	Burton 2000 no. 22 = Instance 48
Bruneau 1975, 124 fig. 14 (photo only) =	Burton 2000 no. 23 = Instance 98
Text 65.3	Burton 2000 no. 24 = Instance 101
BSAF 1923, 147-149 = Text 89.3	Burton 2000 no. 25 = Instance 18
Burton 2000 no. 1 = Instance 25	Burton 2000 no. 26 = Instance 47
Burton 2000 no. 2 = Instance 22	Burton 2000 no. 27 = Instance 99
Burton 2000 no. 3 = Instance 22	Burton 2000 no. 28 = Instance 52
Burton 2000 no. 4 = Instance 22	Burton 2000 no. 29 = Instance 37
Burton 2000 no. 5 = Instance 1	Burton 2000 no. 30 = Instance 38
Burton 2000 no. 6 = Instance 26	Burton 2000 no. 31 = Instance 29
Burton 2000 no. 7 = Instance 30	Burton 2000 no. 32 = Instance 10
Burton 2000 no. 8 = Instance 84	Burton 2000 no. 33 = Instance 2
Burton 2000 no. 9 = Instance 3	Burton 2000 no. 34 = Instance 61
Burton 2000 no. 10 = Instance 4	Burton 2000 no. 35 = Instance 61
Burton 2000 no. 11 = Instance 8	Burton 2000 no. 36 = Instance 61

Burton 2000 no. 37 = Instance 61	Burton 2000 no. 61 = Instance 40
Burton 2000 no. 38 = Instance 36	Burton 2000 no. 62 = Instance 72
Burton 2000 no. 39 = Instance 61	Burton 2000 no. 63 = Instance 18
Burton 2000 no. 40 = Instance 100	Burton 2000 no. 64 = Instance 34
Burton 2000 no. 41 = Instance 57	Burton 2000 no. 65 = Instance 93
Burton 2000 no. 42 = Instance 54	Burton 2000 no. 66 = Instance 10
Burton 2000 no. 43 = Instance 79	Burton 2000 no. 67 = Instance 39
Burton 2000 no. 44 = Instance 97	Burton 2000 no. 68 = Instance 39
Burton 2000 no. 46 = Instance 23	Burton 2000 no. 69 = Instance 39
Burton 2000 no. 47 = Instance 14	Burton 2000 no. 70 = Instance 39
Burton 2000 no. 48 = Instance 35	Burton 2000 no. 71 = Instance 43
Burton 2000 no. 49 = Instance 11	Burton 2000 no. 72 = Instance 91
Burton 2000 no. 50 = Instance 35	Burton 2000 no. 73 = Instance 62
Burton 2000 no. 51 = Instance 35	Burton 2000 no. 74 = Instance 62
Burton 2000 no. 52 = Instance 104	Burton 2000 no. 75 = Instance 21
Burton 2000 no. 53 = Instance 53	Burton 2000 no. 76 = Instance 83
Burton 2000 no. 54 = Instance 81	Burton 2000 no. 77 = Instance 85
Burton 2000 no. 55 = Instance 89	Burton 2000 no. 78 = Instance 28
Burton 2000 no. 56 = Instance 71	Burton 2000 no. 79 = Instance 89
Burton 2000 no. 57 = Instance 81	Burton 2000 no. 80 = Instance 89
Burton 2000 no. 58 = Instance 74	Burton 2000 no. 81 = Instance 89
Burton 2000 no. 59 = Instance 94.	Burton 2000 no. 82 = Instance 89
Burton 2000 no. 60 = Instance 73	Burton 2000 no. 83 = Instance 50

Burton 2000 no. 84 = Instance 51	CIL 2.4125 = Text 50.1
Burton 2000 no. 85 = Instance 89	CIL $2^2.5.302 = \text{Text } 26.1$
Burton 2000 no. 86 = Instance 41	CIL $2^2.5.994 = \text{Text } 78.1$
Burton 2000 no. 87 = Instance 41	CIL $2^2.7.776 = \text{Text } 40.1$
Burton 2000 no. 88 = Instance 96	CIL 2^2 .7.870 and photo (Tab. 22) = Text 82.1
Cadoni 1993 = Text 22.1	CIL $2^2.7.871 = \text{Text } 82.2$
Cagnat 1894 = Text 83.9	CIL 3, 992 n. 749 = Text 95.4
Cagnat 1903, 99.I = Text 71.1	CIL 3.183 = Text 104.1
Cagnat 1903, 99.II = Text 71.2	CIL 3.586 = Text 38.1
Cagnat 1909, 569 (1re borne) =	CIL 3.591 = Text 33.1
Text 87.17	CIL 3.749 = Text 95.1
Cagnat 1909, 570 (2e borne) = Text 87.18	CIL 3.2882 = Text 8.1
Campbell 2000, 246.33-48 = Text 45.1	CIL 3.2883 = Text 3.1
Campbell 2000, 88.33-90.1 = Text 62.9	CIL 3.3157 = Text 49.1
Carton 1895, 62 = Text 46.1	CIL 3.6070 = Text 61.5
Chelotti 1985 no. 10 = Text 66.1	CIL 3.8472 = Text 7.1
Christofle 1935, 220 = Text 81.3	CIL 3.8473 = Text 7.2
Christol 1982 = Text 54.1	CIL 3.8663 = Text 49.1
Christol 1998 = Text 100.1	CIL 3.8716a = Text 55.2
CIL 2, 705 = Text 40.1	CIL 3.9832 = Text 9.1
CIL 2.656 = Text 82.2	CIL 3.9833 = Text 7.3
CIL 2.1438 = Text 78.1	CIL $3.9860 = \text{Text } 7.5$
CIL 2.2349 = Text 40.1	CIL 3.7000 – Text 33.1

CIL 3.9864a, cf. pp. 2165 and 2270 =	CIL 8.7084 = Text 81.5
Text 13.1	CIL 8.7085 = Text 81.6
CIL 3.9938 = Text 19.1	CIL 8.7086 = Text 81.15
CIL $3.9973 + p. 2273 = Text 3.5$	CIL 8.7087 = Text 81.16
CIL 3.12237 = Text 105.1	CIL 8.7088 = Text 81.12
CIL 3.12306 = Text 38.1	CIL 8.7089 = Text 81.17
CIL 3.12407 = Text 95.2	CIL $8.7090 = \text{Text } 81.9$
CIL 3.12794 = Text 12.1	
CIL 3.14195^1 = Text 61.1	CIL 8.8211 = Text 81.17
CIL 3.14206/4 = Text 86.1	CIL 8.8811 = Text 103.1
	CIL 8.8812 = Text 76.1
CIL $3.14239/4 = \text{Text } 49.1$	CIL 8.8813 = Text 73.2
CIL 3.14377 = Text 63.1	CIL 8.8814 = Text 73.1
CIL 3.14406d = Text 92.1	CIL 8.10148 = Text 81.27
CIL $3.14422/1 = \text{Text } 95.6$	CIL 8.10667 = Text 89.10
CIL 3.14437/2 = Text 98.1	
CIL 3.14447 = Text 51.1	CIL 8.10821 = Text 81.18
CIL $3.15045/2 = \text{Text } 3.2$	CIL 8.10838 = Text 81.29
	CIL 8.14882 = Text 83.2
CIL $3.15053 = \text{Text } 58.1$	CIL 8.16692 = Text 89.10
CIL $5.5050 = \text{Text } 15.1$	CIL 8.17407 = Text 81.29
CIL 8, 965 = Text 81.5	CIL 8.17521 = Text 53.1
CIL 8, 1946 = Text 76.1	CIL 8.18768 = Text 81.18
CIL 8.4676 = Text 89.5	CIL 8.19104 = Text 81.4
CIL 8.4845 = Text 53.1	
	CIL $8.19132 = \text{Text } 81.25$

CIL 8.19133 = Text 81.26	CIL 8.22789 = Text 87.6
CIL 8.19134 = Text 81.24	CIL 8.23084 = Text 83.9
CIL 8.19329 = Text 81.19	CIL 8.23910 = Text 56.1
CIL 8.19431 = Text 81.5	CIL 8.25860 = Text 83.2
CIL 8.19432 = Text 81.6	CIL 8.25967 = Text 83.1
CIL 8.19433 = Text 81.17	CIL 8.27459 = Text 46.1
CIL 8.19974 = Text 81.17	CIL 8.28073a = Text 89.5
CIL 8.20618 = Text 103.1	CIL 8.28073b = Text 89.7
CIL 8.21663 = Text 96.1	CIL 8.28074 = Text 90.1
CIL 8.22786a = Text 87.2	CIL 9.5420 = Text 69.1
CIL 8.22786b = Text 87.15	CIL 10, 676 = Text 45.1
CIL 8.22786c = Text 87.14	CIL 10.1018 = Text 65.1
CIL 8.22786d = Text 87.13	CIL 10.3828 = Text 67.5
CIL 8.22786e = Text 87.9	CIL 10.7852 = Text 22.1
CIL 8.22786f = Text 87.1	CIL 10.8038 = Text 25.1
CIL 8.22786g = Text 87.10	CIL 12.113 = Text 84.1
CIL 8.22786h = Text 87.12	Coll. 13.3 = Text 93.3
CIL 8.22786i = Text 87.11	Const 19 (1878), 379 = Text 81.18
CIL 8.22786k = Text 87.3	Contencin 1934 = Text 83.7
CIL 8.227861 = Text 87.4	CRAI 1906, 479.1 = Text 89.1
CIL 8.22786m = Text 87.5	CRAI 1906, 479.2 = Text 89.6
CIL 8.22787 = Text 87.17	CRAI 1906, 479.3 = Text 89.4
CIL 8.22788 = Text 87.18	CRAI 1923, 72 = Text 89.3

De Franciscis 1966, 242.1 = Text 67.2	EB 1.8 (Oliver block I, II. 15-19) + 1.3 (Oliver
De Franciscis 1966, 243.2 = Text 67.3	block II, ll. 1-4) = Text 43.2
De Franciscis 1966, 243.3 = Text 67.4	EB 1.9 (Oliver block V, ll. 1-4) = Text 43.7
De Franciscis 1966, 243.4 = Text 67.5	EDH HD022758 = Text 35.1
De Franciscis 1966, 244.5 = Text 67.6	EDH HD000701 = Text 20.1
Di Vita-Evrard 1979, 77-78.3 = Text 21.4	EDH HD000993 = Text 26.1
Di Vita-Evrard 1979, 78-81.4 = Text 21.3	EDH HD002921 = Text 75.1
Dig. 47.21.2 = Text 93.2	EDH HD006322 = Text 95.5
Doblhofer 1960 = Text 23.1	EDH HD006328 = Text 95.3
	EDH HD006340 = Text 95.4
Ducrey 1969, 846-852 no. 3 = Text 27.1	EDH HD007455 = Text 82.1
EAM 181 = Text 37.1	EDH HD007515 = Text 40.1
EB $1.1 = \text{Text } 43.10$	EDH HD008545 = Text 21.4
EB $1.10 = \text{Text } 43.8$	EDH HD008548 = Text 21.3
EB $1.11 = \text{Text } 43.9$	
EB 1.12 and addenda, p. 22. = Text 43.12	EDH HD008964 = Text 60.1
EB 1.13 = Text 43.13	EDH HD010504 = Text 67.6
EB 1.14 = Text 43.14	EDH HD010742 = Text 83.8
EB 1.2 = Text 43.11	EDH HD011697 (Latin) = Text 62.2
EB 1.4 = Text 43.3	EDH HD011700 = Text 62.6
EB 1.5 = Text 43.4	EDH HD011851 = Text 46.1
EB 1.6 = Text 43.5	EDH HD012295 = Text 48.1
EB 1.7 = Text 43.1	EDH HD012421 = Text 27.1
25 1.7 - TOAT T3.1	EDH HD012592 = Text 81.1

EDH HD014711 = Text 88.1	EDH HD022238 = Text 89.5
EDH HD015145 = Text 62.15	EDH HD022241 = Text 89.7
EDH HD016427 (Latin only) = Text 61.4	EDH HD022250 = Text 56.1
EDH HD016472 = Text 23.1	EDH HD022309 = Text 74.1
EDH HD017239 = Text 99.2	EDH HD022397 = Text 86.1
EDH HD017242 = Text 99.1	EDH HD022728 = Text 81.7
EDH HD017303 = Text 81.2	EDH HD022731 = Text 81.23
EDH HD017654 = Text 98.1	EDH HD022739 = Text 105.1
EDH HD017849 = Text 1.1	EDH HD022761 = Text 35.3
EDH HD018137 = Text 62.16	EDH HD023038 = Text 96.1
EDH HD018292 = Text 81.13	EDH HD023402 = Text 102.1
EDH HD018672 = Text 81.14	EDH HD023444 = Text 89.1
EDH HD018879 = Text 51.1	EDH HD024240 = Text 83.7
EDH HD019061 = Text 30.2	EDH HD024385 = Text 46.2
EDH HD019064 = Text 30.1	EDH HD024480 = Text 81.3
EDH HD019067 = Text 30.3	EDH HD025195 = Text 101.2
EDH HD019084 = Text 101.1	EDH HD025996 = Text 89.3
EDH HD019435 = Text 66.1	EDH HD026335 = Text 93.1
EDH HD020847 = Text 28.1	EDH HD026625 (init., Latin only) = Text 16.1
EDH HD020885 = Text 81.21	EDH HD026625 (at end) = Text 16.7
EDH HD021309 = Text 104.1	EDH HD026658 = Text 64.1
EDH HD021458 = Text 81.11	EDH HD026691 = Text 5.1
EDH HD021755 = Text 73.1	EDH HD026844 (Latin) = Text 62.10

EDH HD026847 (Latin) = Text 62.11	EDH HD031222 = Text 81.26
EDH HD026859 = Text 34.1	EDH HD031225 = Text 81.24
EDH HD027199 (Latin) = Text 62.3	EDH HD031451 = Text 78.1
EDH HD027202 (Latin) = Text 62.13	EDH HD031815 = Text 83.1
EDH HD027240 = Text 81.28	EDH HD031971 = Text 95.6
EDH HD027676 = Text 41.1	EDH HD032952 = Text 63.2
EDH HD027679 = Text 41.2	EDH HD033387 = Text 71.1
EDH HD028212 = Text 83.3	EDH HD033438 = Text 39.1
EDH HD028215 = Text 83.4	EDH HD033438 = Text 39.3
EDH HD028218 = Text 83.5	EDH.HD023447 = Text 89.6
EDH HD028221 = Text 83.6	EDH.HD023450 = Text 89.4
EDH HD028735 = Text 83.9	EDHHD020493 = Text 85.1
EDH HD028926 = Text 57.1	EE 2.563 = Text 19.1
EDH HD028942 = Text 67.4	EE 5 (1884).862 = Text 81.25
EDH HD029523 = Text 87.17	EE 5.859 = Text 81.5
EDH HD029688 = Text 17.1	EE 5.860 = Text 81.6
EDH HD030504 = Text 80.1	EE 5.861 = Text 81.4
EDH HD030558 = Text 87.1	EE 5.863 = Text 81.26
EDH HD031141 = Text 89.10	EE 5.864 = Text 81.24
EDH HD031156 = Text 89.5	EE 5.865 = Text 81.19
EDH HD031165 = Text 89.7	Ehrenberg 1955 321a = Text 2.1
EDH HD031168 = Text 89.8	Ehrenberg 1955 321b = Text 2.2
EDH HD031219 = Text 81.25	Ehrenberg 1955 321c = Text 2.3

Engelmann 1999, 143-146.4 = Text 61.9	Fossey 1981/82 no. 6 = Text 43.5
FD 3.4.290 = Text 39.1	Fossey 1981/82 no. 7 = Text 43.1
FD 3.4.291 = Text 39.2	Fossey 1981/82 no. $8 + 3 = \text{Text } 43.2$
FD 3.4.292 = Text 39.3	Fossey 1981/82 no. 9 = Text 43.7
FD 3.4.293 = Text 39.4	French 1991, 57 s.v. "KÜTAHYA" = Text 54.1
FD 3.4.294 = Text 39.5	
FD 3.4.295 = Text 39.6	French 1997, 61-63.3 = Text 100.1
FD 3.4.296 = Text 39.7	Frézouls 1981 = Text 15.1
FD 3.4.297 = Text 39.8	Gascou 1989, 155-157.26 = Text 81.14
FD 3.4.298 = Text 39.10	Gasperini 1992a = Text 106.1
FD 3.4.299 = Text 39.9	Guénin 1908, 116-117 = Text 89.4
FD 3.4.302 = Text 70.1	Guénin 1908, 165.1 = Text 89.1
Fentress 1979, 75.15 = Text 89.11	Guénin 1908, 165.2 = Text 89.6
FIRA 1.71 = Text 15.1	Haensch 1999 = Text 36.1
Fitz 1966, 41-42.14 = Text 98.1	Hatzopoulos 1989, 58 n. 1 = Text 29.1
Fossey 1981/82 no. 1 = Text 43.10	Henzen 1856 = Text 38.1
Fossey 1981/82 no. 10 = Text 43.8	HEp 1 (1989) 288 = Text 26.1
Fossey 1981/82 no. 11 = Text 43.9	Horsley 1998 = Text 79.1
Fossey 1981/82 no. 12 = Text 43.12	IAGIL 114 = Text 30.1
Fossey 1981/82 no. 13 = Text 43.13	IAGIL 115 = Text 30.2
Fossey 1981/82 no. 2 = Text 43.11	IAGIL 116 = Text 30.3
•	IArykanda 25a-b = Text 97.1
Fossey 1981/82 no. 4 = Text 43.3	IArykanda 25c-d = Text 97.2
Fossey $1981/82$ no. $5 = \text{Text } 43.4$	

IArykanda 25e = Text 97.3	IG 7.2882 = Text 43.12
ICret 1.26.2 = Text 64.1	IG $9.1.61 = \text{Text } 42.1$
ICret 1.26.3 = Text 64.2	IG 9.2.261 = Text 2.3
ICret 1.8.49 = Text 63.1	IG $9.2.261(I) = Text 2.1$
Içten 1998, 83.1 = Text 61.2	IG 9.2.261(II) = Text 2.2
IEph 1, 111 no. 19B (b) = Text 61.8	IGBulg 3.1401 = Text 47.1
IEph 1522 = Text 61.5	IGBulg 3.1455 = Text 52.3
IEph 1523 = Text 61.6	IGBulg 3.1472 = Text 52.2
IEph 1524 = Text 61.7	IGLNovae 73 = Text 95.1
IEph 3501 = Text 61.1	IGLS 5.2549 = Text 35.1
IEph 3502 = Text 61.3	IGLS 5.2550 = Text 35.3
IEph 3506 = Text 61.11	IGLS 5.2551 = Text 35.2
IEph 3507 = Text 61.10	IGR 1.709 (defective text) = Text 47.1
IEph 3508 = Text 61.13	IGR $3.335 = \text{Text } 79.2$
IEph 3509 = Text 61.14	IGR 4.1672 = Text 61.1
IEph 3510 = Text 61.12	IGR 4.1673 = Text 61.3
IEph 3511 = Text 61.15	ILAfr 496 = Text 83.5
IEph 3512 = Text 61.16	ILAfr 591 = Text 41.1
IEph 459 = Text 61.4	ILAfr 592 = Text 41.2
IG 5.1.1431 = Text 10.2	ILAlg 1.134 = Text 81.29
IG 7.2870.I = Text 43.7	ILAlg 1.2080 = Text 90.1
IG 7.2870.II = Text 43.8	ILAlg 1.2828 = Text 89.5
IG 7.2870.III = Text 43.9	ILAlg 1.2829 = Text 89.7

ILAlg 1.2939 = Text 89.10	ILJug 3.2845 = Text 80.1
ILAlg 1.2939bis = Text 89.8	ILJug 3.2865 = Text 17.1
ILAlg 1.2978 = Text 89.4	ILJug 3.2866 = Text 3.3
ILAlg 1.2988 = Text 89.1	ILJug 3.2867 = Text 3.4
ILAlg 1.2989 = Text 89.6	ILJug 3.2871 = Text 3.5
ILAlg 1.467 = Text 53.1	ILJug 3.2872 = Text 5.1
ILAlg 2.1959 = Text 81.28	ILJug 3.2879 = Text 3.2
ILAlg 2.1993 = Text 81.15	ILS 206 = Text 15.1
ILAlg 2.2003 = Text 81.21	ILS 251 = Text 67.5
ILAlg 2.410 = Text 81.10	ILS 3239 = Text 61.1
ILAlg 2.6514 = Text 81.27	ILS 3240 = Text 67.4
ILAlg 2.6515 = Text 81.26	ILS 5942 = Text 65.1
ILAlg 2.6517 = Text 81.22	ILS 5947 = Text 22.1
ILAlg 2.6834 = Text 81.23	ILS 5947a = Text 38.1
ILAlg 2.6846 = Text 81.25	ILS 5948 = Text 7.1
ILBulg 357 = Text 95.1	ILS 5949 = Text 9.1
ILBulg 358 = Text 95.6	ILS 5950 = Text 13.1
ILBulg 386 = Text 95.4	ILS 5951 = Text 19.1
ILBulg 390 = Text 95.3	ILS 5952 = Text 12.1
ILBulg 429 = Text 95.2	ILS 5953 = Text 3.5
ILGR 173 = Text 34.1	ILS 5953b = Text 58.1
ILGR 212 = Text 88.1	ILS 5954 = Text 33.1
ILHSavoie 82 = Text 84.1	ILS 5955 = Text 83.1

ILS 5957 = Text 84.1	ILS 9379 = Text 80.1
ILS 5958a = Text 89.5	ILS 9380 = Text 71.2
ILS 5958b = Text 89.7	ILS 9381 = Text 71.1
ILS 5959 = Text 89.10	ILS 9382 = Text 102.1
ILS 5960 = Text 73.1	ILS 97 = Text 61.5
ILS 5963 = Text 96.1	ILT 1293 = Text 83.2
ILS 5964 = Text 103.1	ILT 1560 = Text 46.2
ILS 5965 = Text 76.1	ILT 1653 = Text 89.3
ILS 5971 = Text 78.1	ILT 623 = Text 83.8
ILS 5972 = Text 82.2	ILT 624 = Text 83.7
ILS 5973 = Text 40.1	ILT 71 = Text 87.6
ILS 5974 = Text 104.1	ILT 73 = Text 87.7
ILS 5976 = Text 81.29	ILT 74 = Text 87.8
ILS 5977 = Text 81.26	IPhilippi 475 = Text 92.1
ILS 5977a = Text 81.24	IPhilippi 559 = Text 86.1
ILS 5978 = Text 81.4	IRC 3.172 = Text 30.1
ILS 5979 = Text 81.18	IRC 3.173 = Text 30.2
ILS 5980 = Text 81.17	IRC 3.174 = Text 30.3
ILS 5981 = Text 86.1	IRT 854 = Text 28.1
ILS 5982 = Text 24.1	IScM $5.57a = Text 101.2$
ILS 8091 = Text 63.1	IScM 5.8 = Text 101.1
ILS 9375 = Text 87.1	ISCM 1 359 = Text 51.1
ILS 9378 = Text 17.1	ISCM 1 360 = Text 51.2

ISCM 1 67 ll 35-48 = Text 16.5	Khanoussi 1992, 326-327.3.2 = Text 89.9
ISCM 1 67 ll. 1-4 = Text 16.1	Knibbe 1979, 140.1 = Text 61.1
ISCM 1 67 ll. 24-35 = Text 16.4	Knibbe 1979, 140.2 = Text 61.3
ISCM 1 67 ll. 48-62 = Text 16.6	Knibbe 1979, 141.4 = Text 61.11
ISCM 1 67 ll. 5-10 = Text 16.2	Laffi 1971, 10.C = Text 68.3
ISCM 1 67 ll. 63-84 = Text 16.7	Laffi 1971, 10.D = Text 68.4
ISCM 1 67.10-23 = Text 16.3	Laffi 1971, 10-11.E = Text 68.5
ISCM 1 68 ll. 15-27 = Text 16.3	Laffi 1971, 9.A = Text 68.1
ISCM 1 68 ll. 1-8 = Text 16.1	Laffi 1971, 9.B = Text 68.2
ISCM 1 68 ll. 28-38 = Text 16.4	Lassus 1960, 96 = Text 81.13
ISCM 1 68 ll. 38-48 = Text 16.5	Le Roux 1994, 49.6 = Text 1.1
ISCM 1 68 ll. 49-61 = Text 16.6	Leschi 1957a = Text 74.1
ISCM 1 68 ll. 61-70 = Text 16.7	Logeart 1939, 162.1 = Text 81.4
ISCM 1 68 ll. 9-14 = Text 16.2	Logeart 1939, 163.2 = Text 81.9
ISCM 1 69 = Text 16.8	Logeart 1939, 165.3 = Text 81.7
IThess $1.13.c = Text 2.3$	Logeart 1939, 166.4 = Text 81.8
IThess $1.13a = \text{Text } 2.1$	Logeart 1939, 170.5 = Text 81.20
IThess $1.13b = Text 2.2$	Logeart 1939, 172.6 = Text 81.18
Jacques 1987 = Text 60.1	Logeart 1939, 173.7 = Text 81.26
Josephus A.J. 18.150-154 = Text 11.1	Logeart 1939, 175.11 = Text 81.25
Josephus A.J. 20.2-4 = Text 14.1	Logeart 1939, 175.8 = Text 81.24
Kazarow 1923, 275-278 = Text 93.1	Logeart 1939, 176.9 = Text 81.27
Keil 1911, 15.18 = Text 57.1	Logeart 1939, 178.10 = Text 81.23

Lucas 1997, 101-108 no. 48 = Text 34.1

MacKay 1965 = Text 37.1

MAMA 5.60 = Text 91.1

MAMA 9, 4-5.8 (C8) = Text 68.6

MAMA 9, 5.9 (C9) = Text 68.7

MAMA 9, xxxvi.A and 178.P1 = Text 68.1

MAMA 9, xxxvii.B and 178.P2 = Text 68.2

MAMA 9, xxxvii.C and 178.P3 = Text 68.3

MAMA 9, xxxvii.D and 278.P4 = Text 68.4

MAMA 9.9 note 4 = 178.P5 = Text 68.5

McCrum-Woodhead 435 = Text 62.11

McCrum-Woodhead 457 = Text 18.1

McCrum-Woodhead 497 = Text 61.11

M'Charek 1999, 128-129 = Text 89.9

Mixed Language Inscriptions 148 = Text 61.4

Mixed Language Inscriptions 149a = Text 61.2

Mixed Language Inscriptions 149b = Text 61.1

Mixed Language Inscriptions 150 = Text 61.5

Mixed Language Inscriptions 166a = Text 68.6

Mixed Language Inscriptions 166b = Text 68.5

Bakalakis 1937, 26 = Text 72.2

Bakalakis 1937, 29 = Text 72.1

Naddari 2000, ??? = Text 89.2

OGIS 538 = Text 79.2

Oliver 1965, 151 n. 5 = Text 16.8

Oliver 1965, 154 s.v. "Decision of the Consular Laberius Maximus" = Text 16.1

Oliver 1965, 155 s.v. "Another Epistle of the same Sabinus" = Text 16.3

Oliver 1965, 155 s.v. "Epistle of Pomponius Pius" = Text 16.4

Oliver 1965, 155 s.v. "Epistle of Sabinus" = Text 16.2

Oliver 1965, 155-156 s.v. "Epistle of Plautius Aelianus" = Text 16.5

Oliver 1965, 156 s.v. "Epistle of Tullius Geminus" = Text 16.6

Oliver 1965, 156 s.v. "From Journal of Laberius Maximus" = Text 16.7

Oliver 1989 no. 108 = Text 43.1

Oliver 1989 no. 109 = Text 43.2

Oliver 1989 no. 110 = Text 43.3

Oliver 1989 no. 111 = Text 43.4

Oliver 1989 no. 112 = Text 43.5	Pugliese Carratelli 1961, 323.190 = Text 62.4
Oliver 1989 no. 113 = Text 43.6	Ramsay 1886, 128-129.X = Text 79.2
Oliver 1989 no. 114 = Text 43.7	Ramsay 1886, 129 = Text 79.4
Oliver 1989 no. 115 = Text 43.8	Ramsay 1895, 336.165 = Text 79.2
Oliver 1989 no. 116 = Text 43.9	Ramsay 1941, 234-236.237 = Text 79.2
Oliver 1989 no. 117 = Text 43.10	Ramsay 1941, 235-236.238 = Text 79.4
Oliver 1989 no. 118 = Text 43.11	Reynolds 1965 = Text 62.15
Oliver 1989 no. 75 = Text 70.1	Reynolds 1971, 47-49.1 = Text 62.2
Oliver 1989, 268 (no number) =	Reynolds 1971, 49-50.2 = Text 62.14
Text 43.12	Reynolds 1971, 50-51.3 = Text 62.6
Ors 1953, 361-365 no. 15 = Text 50.1	Rigsby 1996, 391.183 = Text 61.5
Papazoglou 1979, 241 n. 59 sub = Text 29.1	RIT 143 = Text 50.1
Parvan 1915, 245 = Text 101.2	Robert 1938, 223-226 = Text 47.1
Patchère 1911 no. 36 = Text 83.3	Roesch 1985 E.85.02 = Text 43.1
Patchère 1911 no. 37 = Text 83.4	Roesch 1985 E.85.03 + E.85.04 = Text 43.2
Patchère 1911 no. 38 = Text 83.5	Roesch 1985 E.85.05 = Text 43.3
Patchère 1911 no. 39 = Text 83.6	Roesch 1985 E.85.06 = Text 43.4
Petsa 1996, 355-356.259 = Text 37.1	Roesch 1985 E.85.07 = Text 43.5
Plin. NH 5.36, 38 = Text 21.2	Roesch 1985 E.85.08 = Text 43.10
Poinssot 1920, 141.1 = Text 41.1	Roesch 1985 E.85.09 = Text 43.11
Poinssot 1920, 142.2 = Text 41.2	Roesch 1985 E.85.10.I = Text 43.7
Poinssot 1938 = Text 83.8	Roesch 1985 E.85.10.II = Text 43.8
Pratilli 1745, 281 (non vidi) = Text 67.3	Roesch 1985 E.85.10.III = Text 43.9

Roesch 1985 E.85.11 = Text 43.12	SEG 29.681 = Text 52.1
Roesch 1985 E.85.12 = Text 43.13	SEG 30.573 = Text 29.1
Roesch 1985 E.85.13 = Text 43.14	SEG 32.1287 = Text 54.1
Romanelli 1939, 111-118 = Text 28.1	SEG 32.460 = Text 43.1
Russell Cortez 1951, 332.4419 = Text 1.1	SEG 32.461 and 470 = Text 43.2
Şahin 1984, 39 s.v. "Der neue Grenzstein"	SEG 32.462 = Text 43.5
= Text 97.1	SEG 32.463 and 1706 = Text 43.3
Şahin 1984, 40 s.v. "Ein zweiter Grenzstein" (= 25d) = Text 97.2	SEG 32.464 = Text 43.8
Şahin 1984, 40 s.v. "Fragment eines	SEG 32.465 = Text 43.11
dritten(?) Grenzsteins" (= 25c) = Text 97.2	SEG 32.466 = Text 43.4
Şahin 1992, 81-82 = Text 97.1	SEG 32.467 = Text 43.7
Sarikakes 1971, 96 = Text 29.1	SEG 32.468 = Text 43.9
	SEG 32.469 = Text 43.10
Schlumberger 1939, 52-61 no. I = Text 35.1	SEG 32.471 = Text 43.13
Schlumberger 1939, 61-63 no. II =	SEG 34.1309 = Text 97.1
Text 35.3	SEG 35.405B = Text 43.12
Schlumberger 1939, 64-66 no. IV = Text 35.2	SEG 35.405C = Text 43.14
SEG 19.765a = Text 79.2	SEG 39.577 = Text 29.1
SEG 19.765b = Text 79.3	SEG 41.971 = Text 61.4
SEG 19.765c = Text 79.4	SEG 42.411 = Text 43.6
SEG 24.486 = Text 37.1	SEG 46.2189 = Text 62.5
SEG 26.1819 = Text 62.2	SEG 49.1427 = Text 36.1
SEG 27.113 = Text 62.7	SEG 6.763 (= 25d) = Text 97.2

= Text 87.1

SEG $6.764 (= 25a) = Text 97.1$	Trousset 1978 no. 10, pp. 176-177 and 132-
SEG 9.165 = Text 62.10	133 = Text 87.11
SEG 9.166 = Text 62.11	Trousset 1978 no. 11, pp. 176-177 and 132- 133 = Text 87.12
SEG $9.352 = \text{Text } 62.3$	Trousset 1978 no. 15, pp. 176-177 and 129-
SEG $9.360 = \text{Text } 62.13$	132 = Text 87.4
Smallwood 1966 446 = Text 39.3	Trousset 1978 no. 17, pp. 176-177 and 129- 132 = Text 87.5
Smallwood 1966 447 = Text 38.1	Trousset 1978 no. 18, pp. 176-177 and 129-
Smallwood 1966 448 = Text 72.2	132 = Text 87.6
Smallwood 1967 385 = Text 63.1	Trousset 1978 no. 4, pp. 176-177 and 132-133
Smallwood 1967 386 = Text 62.3	= Text 87.13
Spano 1910b, 399-401 = Text 65.2	Trousset 1978 no. 5, pp. 176-177 and 132-133 = Text 87.14
Stat. Silv. 1.4.83-86 = Text 21.5	Trousset 1978 no. 6, pp. 176-177 and 132-133
Stylow 1986, 295 = Text 26.1	= Text 87.15
Tac. Ann. 14.18 = Text 62.1	Trousset 1978 no. 7, pp. 129-132, 176-177 = Text 87.9
Tac. Ann. 4.43 = Text 10.1	Trousset 1978 no. 9, pp. 176-177 and 132-133
Tac. Hist. $4.50 = \text{Text } 21.1$	= Text 87.10
TAM $2.786 (= 25d) = Text 97.2$	Trousset 1978 no. 14, pp. 176-177 and 129-
TAM $2.787 (= 25a) = Text 97.1$	132 = Text 87.3
TAM 5.2.859 = Text 57.1	Trousset 1978 no. 19, pp. 176-177 and 129- 132 = Text 87.7
Thasos 2.186 = Text 18.1	Trousset 1978 no. 20, pp. 176-177 and 129-
Trousset 1976 no. 12, pp. 129-132, 176-	132 = Text 87.8
177 = Text 87.2	Trousset 1997 = Text 87.16
Trousset 1978 no. 1, pp. 129-132, 176-177 = Text 87.1	Vaquerizo Gil 1986, 130-133.14 = Text 82.1

V	'elkov	1970,	55-58	= Text	48.1
---	--------	-------	-------	--------	------

Vell. Pat. 2.25 = Text 67.1

Vulpe 1968, 164 = Text 98.1

Wace 1911, 193-204 = Text 34.1

Wilkes 1967 = Text 20.1

Wilkes 1974, 258 no. 1 = Text 4.1

Wilkes 1974, 258-259 no. 2 = Text 58.1

Wilkes 1974, 259 no. 3 = Text 5.1

Wilkes 1974, 259-260 no. 4 = Text 8.1

Wilkes 1974, 260 no. 5 = Text 3.3

Wilkes 1974, 260 no. 6 = Text 3.5

Wilkes 1974, 260 no. 7 = Text 3.1

Wilkes 1974, 260-262 no. 8 = Text 3.2

Wilkes 1974, 262 no. 10 = Text 80.1

Wilkes 1974, 262 no. 11 = Text 19.1

Wilkes 1974, 262 no. 9 = Text 17.1

Wilkes 1974, 263 no. 12 = Text 9.1

Wilkes 1974, 263-264 no. 13 = Text 7.3

Wilkes 1974, 264-265 no. 15 = Text 55.2

Wilkes 1974, 265 no. 16 = Text 49.1

Wilkes 1974, 265 no. 17 = Text 7.1

Wilkes 1974, 266 no. 18 = Text 7.2

Wilkes 1974, 266 no. 19 = Text 12.1

Wilkes 1974, 266 no. 20 = Text 32.1

Wilkes 1974, 267 no. 22 = Text 59.1

Wilkes 1974, 267 no. 23 = Text 13.1

Wilkes 1974, 267-268 no. 24 = Text 55.1

Wilkes 1974, 268 no. 25 = Text 20.1

Wilkes 1974, 268 no. 26 = Text 31.1

This page intentionally left blank.

WORKS CITED

This list presents all works cited by short titles consisting of the first author (or editor) and publication date. For works referenced by abbreviation here or in the text (ancient literary works, journals, series, and epigraphic corpora), please consult the "List of Abbreviations."

Ager 1989	S. Ager, "Judicial Imperialism: the Case of Melitaia," <i>AHB</i> 3.5 (1989) 107-114.
Ager 1996	S. Ager, <i>Interstate arbitrations in the Greek world, 337-90 B.C.</i> , Berkeley, 1996.
Aichinger 1982	A. Aichinger, "Grenzziehung durch kaiserliche Sonderbeauftragte in den römischen provinzen," <i>ZPE</i> 48 (1982) 193-204.
Alarcáo 1976	J. Alarcáo and R. Etienne, "La Portugal à l'époque augustéenne" in <i>Ciudades augusteas</i> 1 pp. 171-187.
Alföldy 1969	G. Alföldy, Fasti Hispanienses: Senatorische Reichsbeamte und Offiziere in den Spanischen Provinzen des Römischen Reiches von Augustus bis Diokletian, Wiesbaden, 1969.
Alföldy 1991	G. Alföldy, "Epigraphische Notizen aus Kleinasien I: Ein Beneficium des Augustus in Ephesos," <i>ZPE</i> 87 (1991) 157-162 with Pl. IV.
Alí 1996	F. Alí, "Targunia dal periodo greco fino alla fine dell'età fatimita" in Bacchielli 1996 1 pp. 127-134.
Ali Mohamed 1994	F. Ali Mohamed and R. Reynolds, "Inscriptions Recently Discovered in Cyrenaica" in <i>Africa romana 11</i> 3 pp. 1323-1327.
Bacchielli 1996	L. Bacchielli et al (eds.), <i>Scritti di Antichità in memoria di Sandro Stucchi</i> , Studi Miscellanei 29, Rome, 1996.
Baldwin Bowsky 1987	M. Bowsky, "Roman arbitration in central Crete: an Augustan proconsul and a Neronian procurator," <i>CJ</i> 82 (1986/87) 218-229.

Selçuk-Ephesos, Vienna, 1974.

A. Bammer et al., Führer durch das Archäologische Museum in

Bammer 1974

Banev 1981	Kr. Banev and R. Lazov, "Inscriptions latines de la Mésie Inférieure et de la Thrace," <i>Arch (Sofia)</i> 23 (1981) 37-45.
Bean 1959	G.E. Bean, "Notes and inscriptions from Pisidia. Part 1," AS 9 (1959) 67-117.
Bénabou 1976	M. Bénabou, <i>La résistance africaine à la romanisation</i> , Paris, 1976.
Bénabou 1986	H. Bénabou, "L'Afrique" in Crawford 1986 pp. 127-141.
Bennett 1997	J. Bennett, <i>Trajan, optimus princeps : a life and times,</i> Bloomington, 1997.
Benzina ben Abdallah 1992	Z. Benzina ben Abdallah, "Du côte d'Ammaedra: Musulamii et Musunii Regiani," <i>AntAf</i> 28 (1992) 139-145.
Beschaouch 1968	A. Beschaouch, "Mustitana: Recueil des nouvelles inscriptions de Mustis, cité romaine de Tunisie," <i>Karthago</i> 14 (1965/1966) 121-224.
Betz 1938	A. Betz, <i>Untersuchungen zur Militärgeschichte der römischen Provinz Dalmatien</i> , Abhandlungen des archäologischepigraphischen Seminars der Universität Wien new series, heft 4, Baden bei Wien, 1938.
Binder 1987	G. Binder (ed.), Saeculum Augustum I: Herrschaft und Gesellschaft, Darmstadt, 1987.
Birley 1997	A. Birley, Hadrian: The Restless Emperor, London, 1997.
Birley 2000	A. Birley, Marcus Aurelius: A Biography, New York, 2000.
Birley 2002	A. Birley, <i>The Prosopography of Roman Imperial Government: Fasti Provinciarum</i> , Barcelona, 2002; URL: http://www.ub.es/epigraphiae/PDF/Preograma%20EPI%20DEFI NITIU.pdf.
Boatwright 2000	M.T. Boatwright, <i>Hadrian and the Cities of the Roman Empire</i> , Princeton, 2000.

Borzsák 1986	I. Borzsák and K. Wellesley (eds.), <i>Cornelii Taciti libri qui supersunt</i> , Leipzig, 1986-1992.
Bosch 1967	E. Bosch, Quellen zur Geschichte der Stadt Ankara im Altertum, Ankara, 1967.
Bouchenaki 1977	M. Bouchenaki and P. Février, "Un 'castellum' de la region de Tipasa de Juba a Septime Severe," <i>BAA</i> 7 (1977-1979) 193-215.
Bowersock 1991	G. Bowersock, "Review of MAMA 9," <i>JRS</i> 81 (1991) 223-225.
Bowman 1996	A. Bowman, "Provincial Administration and Taxation" in <i>CAH</i> ² 10 pp. 344-370.
Božilova 1985	V. Božilova and J. Kolendo, "Гранчен стълб от 136 гнамерен в Нове," <i>Arch (Sofia)</i> 27 (1985) 39-46.
Brice 2002	L. Brice, <i>Holding a Wolf by the Ears: Mutiny and Unrest in the Roman Military, 44 B.CAD 68</i> , Ph.D. Dissertation, Chapel Hill, 2002.
Bringmann 1995	K. Bringmann and H. von Steuben, <i>Schenkungen hellenistischer Herrscher an griechische Städte und Heiligtümer</i> , 2 vols., Berlin, 1995.
Bruneau 1975	P. Bruneau, "Deliaca (II)," <i>BCH</i> 99 (1975) 267-311.
Buraselis 1993	K. Buraselis, "Bemerkungen zum Dekret der Battynäer" in <i>Ancient Macedonia V</i> 1 pp. 280-292.
Burton 1993	G.P. Burton, "Provincial Procurators and the Public Provinces," <i>Chiron</i> 23 (1993) 13-28.
Burton 2000	G.P. Burton, "The Resolution of Territorial Disputes in the Provinces of the Roman Empire," <i>Chiron</i> 30 (2000) 195-215.
Burton 2002	G. Burton, "The Regulation of Inter-community Relations in the Provinces and the Political Integration of the Roman Empire" in Gorman 2002 pp. 113-128.

Burton 2002b	G. Burton, "The Roman Imperial State (A.D. 14-235): Evidence and Reality," <i>Chiron</i> 32 (2002) 249-280.
Cadoni 1993	E. Cadoni, "La Tabula bronzea di Esterzili (CIL X, 7852 = ILS 5947)" in Mastino 1993 pp. 77-98.
Cagnat 1894	R. Cagnat, "Note sur les limites de la Province romaine d'Afrique en 146," <i>CRAI</i> (1894) 43.
Cagnat 1903	R. Cagnat, "Sabinius non Licinius Barbarus" in <i>Mélanges Boissier</i> pp. 99-102.
Cagnat 1909	R. Cagnat, "Les Νυβγηνοί de Ptolémée," <i>CRAI</i> (1909) 568-579.
Camodeca 1993	G. Camodeca, "Per una riedizione delle 'Tabulae Herculanenses' 2" in <i>Ostraka</i> 2.2 pp. 197-209.
Camodeca 1994	G. Camodeca, "Riedizione del trittico ercolanese TH 77 + 78 + 80 + 53 + 92 del 26 gennaio 69," <i>BCPE</i> 24 (1994) 137-146.
Camodeca 1996	G. Camodeca, "Una nuova coppia di consoli del 148 e il proconsul Achaiae M. Calpurnius Longus," <i>ZPE</i> 112 (1996) 235-240.
Campbell 1996	B. Campbell, "Shaping the Rural Environment: Surveyors in Ancient Rome," <i>JRS</i> 86 (1996) 74-99.
Campbell 2000	B. Campbell, <i>The Writings of the Roman Land Surveyors: Introduction, Text, Translation and Commentary</i> , JRS Monograph 9, London, 2000.
Carlsen 1994	J. Carlsen et al (eds.), <i>Landuse in the Roman Empire</i> , Rome, 1994.
Carlsen 1994a	J. Carlsen, "CIL X 8217 and the Question of Temple Land in Roman Italy" in Carlsen 1994 pp. 9-15.
Carlsen 1995	J. Carlsen, Vilici and Roman Estate Managers Until AD 284, Rome, 1995.

Carton 1895	L. Carton, <i>Découvertes épigraphiques et archéologiques faites</i> en Tunisie (région de Dougga), Mémoires Lille 5.4, Lille, 1895.
Casevitz 1993	M. Casevitz, "Les mots de la frontière en grec" in Roman 1993 pp. 17-24.
Champlin 1978	E. Champlin, "Pegasus," ZPE 32 (1978), 269-278.
Chelotti 1985	M. Chelotti et al, Le epigrafi romane di Canosa, Bari, 1985.
Chrimes 1949	K. Chrimes, <i>Ancient Sparta, a re-examination of the evidence</i> , Manchester, 1949.
Christofle 1935	M. Christofle, Rapport sur le fouilles effectuées en 1930-1931- 1932 par le service des monuments historiques de l'Algérie, Algiers, 1935.
Christol 1982	M. Christol and T Drew-Bear, "Une délimitation de territoire en Phrygie-Carie," <i>TRTurquie 1982</i> , 21-42.
Christol 1998	M. Christol and Th. Drew-Bear, "Le prince et ses représentants aux limites de l'Asie et de la Galatie: un nouveau questeur et un nouveau proconsul d'Asie sous Septime Sévère," <i>CahiersGlotz</i> 9 (1998) 143-164.
Contencin 1934	A. Contencin, "Note sur une borne de la Fossa Regia," <i>BCTH</i> (1934/5) 390.
Crawford 1986	M. Crawford (ed.), <i>L'Impero romano e le strutture economiche e sociali delle province</i> , Como, 1986.
Crook 1967	J. Crook, Law and Life of Rome, Ithaca, NY, 1967.
Daux 1976	G. Daux, "L'Amphictyonie delphique sous l'Empire" in <i>Recueil Plassart</i> pp. 59-79.
De Franciscis 1956	A. de Franciscis, "Templum Dianae Tifatinae," <i>ASTL</i> 1 (1956) 301-358.
De Franciscis 1966	A. De Franciscis, "Note sui 'Praedia Dianae Tifatinae'," <i>RAALN</i> 41 (1966) 241-246.

Desanges 1962	J. Desanges, Catalogue des tribus Africaines de l'antiquité classique a l'ouest du Nil, Dakar, 1962.
Desanges 1983	J. Desanges and S. Lancel, "L'apport des nouvelles Lettres à la géographie historique de l'Afrique antique et de l'Église d'Afrique" in <i>Lettres de Saint Augustin découvertes</i> pp. 87-99.
Desanges 1994	J. Desanges, "Auguste a-t-il confirmé une décision de Juba II dans l'administration interne du royaume protégé de Maurétanie?," <i>BCTH</i> 23 (1990-1992) 218-220.
Devijver 1976	H. Devijver, <i>Prosopographia militiarum equestrium quae</i> fuerunt ab Augusto ad Gallienum, 3 vols., Leuven, 1976-1980.
Di Vita-Evrard 1979	G. di Vita-Evrard, "Quatre inscriptions du Djebel Tarhuna: le territoire de Lepcis Magna," <i>QAL</i> 10 (1979) 67-98 and map.
Dignas 2002	B. Dignas, <i>Economy of the sacred in Hellenistic and Roman Asia Minor</i> , New York, 2002.
Dindorf 1868	L. Dindorf (ed.), <i>Ioannis Zonarae Epitome Historiarum</i> , 6 vols., Leipzig, 1868-1875.
Doblhofer 1960	E. Doblhofer, "Eine Grenzregelung in Kilikien," <i>JÖAI</i> 45 (1960) Hauptblatt 39-44.
Dobson 1978	B. Dobson, Die Primipilares: Entwicklung und Bedeutung, Laufbahnen und Persönlichkeiten eines römischen Offiziersranges, Cologne, 1978.
Doukellis 1995	P. Doukellis and S. Zoumbaki, "De Flamininus aux Antonins: Conquête et aménagements de l'espace extra-urbain en Achaïe et Macédoine," <i>DHA</i> 21.2 (1995) 205-228.
Ducrey 1969	P. Ducrey, "Trois nouvelles inscriptions crétoises," <i>BCH</i> 93 (1969) 841-852.
Eck 1999	W. Eck (ed.), Lokale Autonomie und römische Ordnungsmacht in den kaiserzeitlichen Provinzen vom 1. bis 3. Jahrhundert, Munich, 1999.

Ehrenberg 1955	V. Ehrenberg and A. Jones (eds.), <i>Documents Illustrating the Reigns of Augustus and Tiberius</i> , Oxford, 1955.
Elliott 1997	T. Elliott, Diocletianic Census Inscriptions from the Aegean Islands and Asia Minor, M.A. Thesis, Chapel Hill, 1997.
Engelmann 1993	H. Engelmann, "Zum Kaiserkult in Ephesos," ZPE 97 (1993) 279-289.
Engelmann 1998	H. Engelmann, "Ephesiaca," ZPE 121 (1998) 305-311.
Engelmann 1999	H. Engelmann, "Inschriften aus Metropolis," <i>ZPE</i> 125 (1999) 137-146.
Faraone 1991	C. Faraone and D. Obbink, eds., <i>Magika Hiera: Ancient Greek Magic and Religion</i> , New York, 1991.
Faraone 1991a	C. Faraone, "The Agonistic Context of Early Greek Binding Spells" in Faraone 1991 pp. 3-32.
Fentress 1979	E. Fentress, <i>Numidia and the Roman Army: Social, Military and Economic Aspects of the Frontier Zone</i> , BAR International Series 53, Oxford, 1979.
Fitz 1966	J. Fitz, Die Laufbahn der Statthalter in der römischen Provinz Moesia Inferior, Weimar, 1966.
Fossey 1981	J. Fossey, "The City Archive at Koroneia," <i>Euphrosyne</i> 11 (1981/82) 44-59.
Franklin 2001	J. Franklin, <i>Pompeis difficile est: studies in the political life of imperial Pompeii</i> , Ann Arbor, 2001.
French 1991	D. French, "Sites and Inscriptions from Phrygia, Pisidia and Pamphylia," <i>EA</i> 17 (1981) 51-68.
French 1997	D.H. French, "Inscriptions in the Museums of Akşehir and Yalvaç," <i>EA</i> 29 (1997) 60-64.
Frézouls 1981	E. Frézouls, "A propos de la Tabula Clesiana," <i>Ktema</i> 6 (1981) 239-252.

Gager 1992	J. Gager, Curse Tablets and Binding Spells from the Ancient World, Oxford, 1992.
Garcia Rozas 1993	R. Garcia Rozas and J. Abasolo, "Bronces Romanos del Museo de Zamora," in Bronces y Religion Romana pp. 170-196.
Gascou 1983	J. Gascou, "Pagus et castellum dans la confédération cirtéenne," AntAf 19 (1983) 175-207.
Gascou 1989	J. Gascou and R. Guéry, "Inscriptions du sud Constantinois," AntAf 25 (1989) 135-176.
Gasperini 1992	L. Gasperini (ed.), Rupes Loquentes: Atti del Convegno internazionale di studio sulle iscrizioni rupestri de età Romana in Italia, Roma - Bomarzo 13-15. X. 1989, Tivoli, 1992.
Gasperini 1992a	L. Gasperini, "Il Macigno dei Balari ai Piedi del Monte Limbara (Sardegna Nord-Orientale)" in Gasperini 1992 pp. 579-589.
Gorman 2002	V. Gorman and E. Robinson, <i>Oikistes: Studies in Constitutions</i> , <i>Colonies, and Military Power in the Ancient World. Offered in Honor of A.J. Graham</i> , Mnemosyne Suppl. 234, Leiden, 2002.
Gschnitzer 1994	F. Gschnitzer, "Zur Terminologie der Grenze und des Gebietes im Griechischen" in Sonnabend 1994 pp. 25-33.
Guénin 1908	M. Le Commandant Guénin, "Inventaire archéologique du cercle de Tébessa," <i>NouvArch</i> 17 (1908) 75-234.
Haensch 1999	R. Haensch, "Heraclea ad Salbacum, die heiligen Dörfer der Artemis Sbryallis und der Kaiser" in Eck 1999 pp. 115-139.
Hatzopoulos 1989	M. Hatzopoulos and L. Loukopoulou, <i>Morrylos, cité de la Crestonie</i> , Athens, 1989.
Henzen 1856	G. Henzen, "Iscrizione di Lamia," <i>Bullettino dell' Instituto</i> (1856) 72-76.
Hitchner 1994	R. Hitchner, "Image and Reality: The Changing Face of Pastoralism in the Tunisian High Steppe" in Carlsen 1994 pp. 27-43.

Horsley 1998	G.H.R. Horsley and R.A. Kearsley, "Another Boundary Stone between Tymbrianassos and Sagalassos in Pisidia," <i>ZPE</i> 121 (1998) 123-129.
Içten 1998	Ç. Içten and H. Engelmann, "Inschriften aus Ephesos und Kolophon," <i>ZPE</i> 120 (1998) 83-91.
Jacques 1987	F. Jacques, "Biens caducs revendiques par la cite d'Ostie. Attribution et delimitation d'un Terrain d'apres une nouvelle inscription du Latium," <i>Epigraphica</i> 49 (1987) 29-70.
Jiménez de Furundarena 1999	A. Jiménez de Furundarena, "La Carrera de Titus Suedius Clemens," <i>HAnt</i> 23 (1999) 167-172.
Jones 1992	C. Jones, "Review of: James H. Oliver, Greek Constitutions of Early Roman Emperors from Inscriptions and Papyri," <i>AJP</i> 113 (1992) 144-147.
Kazarow 1923	G. Kazarow, "Inscriptions et antiquités de la Macédoine occidentale (Régions de Mariovo et de Prilep)," <i>BCH</i> 47 (1923) 275-300.
Kehoe 1988	D. Kehoe, <i>The Economics of Agriculture on Roman Imperial Estates in North Africa</i> , Hypomnemata 89, Göttingen, 1988.
Khanoussi 1992	M. Khanoussi, "Présence et rôle de l'armée romaine dans la région des Grandes Plaines (Afrique Proconsulaire)" in <i>Africa romana 9</i> pp. 319-328.
Kierdorf 1987	W. Kierdorf, "Freundschaft und Freundschaftskündigung von der Republik zum Prinzipat" in Binder 1987 pp. 223-245.
Knibbe 1979	D. Knibbe et al., "Der Grundbesitz der ephesischen Artemis im Kaystrostal," <i>ZPE</i> 33 (1979) 139-147.
Knibbe 1989	J. Knibbe et al, "Neue Inschriften aus Ephesos XI," <i>JÖAI</i> 59 Beiblatt (1989) 161-238.
Krummrey 1980	H. Krummrey and S. Panciera, "Criteri di edizione e segni diacritici," <i>Tituli</i> 2 (1980), 205-215.

Laffi 1971	U. Laffi, "I terreni del tempio di Zeus ad Aizanoi: Le iscrizioni sulla parete interna dell'anta destra del pronaos," <i>Athenaeum</i> 49 (1971) 3-53.
Lamboglia 1959	N. Lamboglia, "Una nuova popolazione Pirenaica: Gli Olossitani," <i>RSL</i> 25 (1959) 147-161.
Lassus 1960	J. Lassus, "L'archéologie algérienne en 1959," <i>Libyca</i> 8 (1960) 1-109.
Le Bohec 1989	Y. Le Bohec, La Troisième Légion Auguste, Paris, 1989.
Le Bohec 1990	Y. Le Bohec, "De Sila à Gadiaufala: urbanisation et municipalisation dans le Numidie cirtéenne méridionale" in <i>L'Afrique dans l'Occident romain</i> pp. 291-313.
Le Roux 1994	P. Le Roux, "Cités et territoires en Hispanie: L'épigraphie des limites," <i>MCV</i> 30 (1994) 37-51.
Leschi 1957	L. Leschi, Études d'épigraphie, d'archéologie et d'histoire africaines, Paris, 1957.
Leschi 1957a	L. Leschi, "Une assignation de terre sous Septime Sévère" in Leschi 1957 pp. 75-79.
Logeart 1939	F. Logeart, "Bornes délimitatives dans le sud du territoire de Cirta," <i>RevAfr</i> 83 (1939) 161-181.
Lucas 1997	G. Lucas, Les cités antiques de la haute vallée du Titarèse et de géographie historique antique avec corpus des inscriptions, Lyon, 1997.
MacKay 1965	P. MacKay, "A Macedonian Boundary Inscription of A.D. 114," <i>Hesperia</i> 34 (1965) 248-251.
Mason 1974	H. Mason, <i>Greek Terms for Roman Institutions: A Lexicon and Analysis</i> , American Studies in Papyrology 13, Toronto, 1974.
Mastino 1993	A. Mastino, La Tavola di Esterzili: il conflitto tra pastori e contadini nella Barbaria sarda: convegno di studi, Esterzili, 13 giugno 1992, Sassari, 1993.

Matthews 1984	J. Matthews, "The tax law of Palmyra. Evidence for economic history in a city of the Roman East," <i>JRS</i> 74 (1984) 157-180.
Mattingly 1994	D.J. Mattingly, <i>Tripolitania</i> , Ann Arbor, 1994.
M'Charek 1999	A. M'Charek, "De Saint Augutin à Al-Bakri: sur la localisation de l'ager Bullensis dans l'Africa latino-chrétienne et de 'Fahs Boll' en Ifriqiya arabo-musulmane," <i>CRAI</i> (1999) 115-142.
Merryweather 2003	A. Merryweather and J. Prag, Romanization? Proceedings of a Post-graduate Colloquium, The Institute of Classical Studies, London, 15 November 2002, Digressus Supplement 1, London, 2003.
Millar 1992	F. Millar, <i>The Emperor in the Roman World (31 BC - AD 337)</i> , Ithaca, NY, 1992.
Millar 1993	F. Millar, <i>The Roman Near East: 31 BC - AD 337</i> , Cambridge, MA, 1993.
Mitchell 1976	S. Mitchell, "Requisitioned Transport in the Roman Empire: A New Inscription from Pisidia," <i>JRS</i> 66 (1976) 106-131.
Moatti 1993	C. Moatti, <i>Archives et partage de la terre dans le monde Romain</i> (<i>Ile siècle avant - Ier siècle après JC.</i>), CollEFR 173, Rome, 1993.
Bakalakis 1937	G. Bakalakis, "Παρανεστιοι 'Αρχαιότητες," <i>Thrakika</i> 8 (1937)15-31.
Naddari 2000	L. Naddari, "Une nouvelle borne des Musulames," <i>Africa</i> 18 (2000) 43-51.
Navarro 1999	F. Navarro, "P. Stertinius Quartus, Governatore di Numidia," <i>Epigraphica</i> 61 (1999) 67-79.
Oliver 1965	J. Oliver, "Texts A and B of the <i>Horothesia</i> Dossier at Istros," <i>GRBS</i> 6 (1965) 143-156.
Oliver 1989	J. Oliver, Greek Constitutions of Early Roman Emperors from Inscriptions and Papyri, MemoirsAPS 178, Philadelphia, 1989.

Ors 1953	Alvaro D'Ors, <i>Epigrafía Jurídica de la España Romana</i> , Madrid, 1953.
Papazoglou 1979	F. Papazoglou, "Gouverneurs de Macédoine: a propos du second volume des Fasti, par Th. Sarikakis," <i>ZAnt</i> 29 (1979) 237-249.
Parvan 1915	V. Parvan, "Fouilles d'Ulmetum (Roumanie), 1911-1914," <i>AA</i> (1915) 236-247.
Patchère 1911	F. de Patchère, "Excursion archéologique dans la région du Fahs et de Téboursouk," <i>BCTH</i> (1911) 402-403.
Petsa 1996	Ph. Petsa, "Χρονικὰ Ἄρχαιολογικά," <i>Makedonika</i> 7 (1966/7) 287-368.
Pflaum 1960	HG. Pflaum, Les Carrières procuratoriennes équestres sous le haut-empire Romain, 4 vols., Paris, 1960-1961.
Piccirilli 1973	F. Piccirilli, Gli Arbitrati Interstatali Greci, Pisa, 1973.
Piganiol 1962	A. Piganiol, Les documents cadastraux de la colonie romaine d'Orange, Paris, 1962.
Pikoulas 1998	G. Pikoulas, "Τερμονισμοὶ Πελοποννήσου" in <i>Horos</i> 10-12 pp. 313-325.
Pikoulas 1999	G. Pikoulas, "Τερμονισμοί Μακεδονίας: πρώτη συμβολή" in Ancient Macedonia VI 2 pp. 893-902.
Pilhofer 1995	P. Pilhofer, <i>Philippi</i> , 2 vols., Tübingen, 1995-2000.
Plana 1995	R. Plana and M. José Pena, "Ampurias: cuestiones agrarias y jurídicas de finales de la república," <i>StudHist</i> 13/14 (1995/1996) 89-104.
Poinssot 1920	L. Poinssot, "Deux Inscriptions d'Aunobari," CRAI (1920) 140-146.
Poinssot 1938	L. Poinssot, "Une borne inédite de la Fossa Regia," <i>BCTH</i> (1938/40) 203-204.

Pratilli 1745	F. Pratilli, <i>Della Via Appia riconosciuta e descritta da Roma a Brindisi</i> , Naples, 1745.
Pugliese Carratelli 1961	G. Pugliese Carratelli, "Supplemento epigrafico cirenaico," <i>AnnScAA</i> 39-40 (1961-1962) 219-375.
Quinn 2003	J. Quinn, "Roman Africa?" in Merryweather 2003 pp. 7-34.
Ramsay 1886	W.M. Ramsay, "Notes and Inscriptions from Asia Minor," <i>AJA</i> (series 1) 2 (1886) 128-131.
Ramsay 1895	W.M. Ramsay, <i>The Cities and Bishoprics of Phrygia</i> , 2 vols., Oxford, 1895.
Ramsay 1941	W.M. Ramsay, <i>The Social Basis of Roman Power in Asia Minor</i> , Aberdeen, 1941.
Reynolds 1965	J. Reynolds and R. Goodchild, "The city lands of Apollonia in Cyrenaica," <i>LA</i> 2 (1965) 103-107.
Reynolds 1971	J. Reynolds, "New Boundary stones from the public land of the Roman People in Cyrenaica," <i>LA</i> 8 (1971) 47-51.
Rigsby 1976	K. Rigsby, "Cnossus and Capua" in TAPA 106 pp. 313-330.
Rigsby 1996	K. Rigsby, <i>Asylia: Territorial Inviolability in the Hellenistic World</i> , Berkeley, 1996.
Rizakis 1985	Th. Rizakis and G. Tourasoglou, Ἐπιγραφὲς ἄνω Μακεδονίας (Ἐλίμεια, Ἐορδαία, Νότια Λυγκηστίς, Ὀρεστίς), Athens, 1985.
Robert 1938	L. Robert, Études épigraphiques et philologiques, Paris, 1938.
Robert 1940	L. Robert, <i>Hellenica. Recueil d'épigraphie de numismatique et d'antiquitiés grecques</i> , 13 vols., Limoges, 1940
Robert 1940a	L. Robert, "Inscriptions de Bithynie copiées par Georges Radet," <i>REA</i> 42 (1940) 302-322.
Roesch 1985	P. Roesch, Tiresias: Appendix Epigraphica, 1985.
Roman 1993	Y. Roman, La frontière: séminaire de recherche, Lyon, 1993.

Romanelli 1939	P. Romanelli, "Tre iscrizioni tripolitane di interesse storico," <i>Epigraphica</i> 1 (1939) 99-118.
Rousset 1994	D. Rousset, "Les frontières des cités grecques. Premières réflexions à partir du recueil des documents èpigraphiques," <i>CahiersGlotz</i> 5 (1994) 97-126.
Rousset 2002	D. Rousset, <i>Le territoire de Delphes et la terre d'Apollon</i> , BEFAR 302, Paris, 2002.
Şahin 1984	S. Şahin, "Ti. Iulius Frugi: proconsul von Lycia-Pamphylia unter Mark Aurel und Verus, Abgrenzung des Stadtgebiets von Arykanda," <i>EA</i> 3 (1984) 39-48.
Şahin 1986	S. Şahin, "Studien über die Probleme der historischen Geographie des nordwestlichen Kleinasiens I: Strabon XII 3,7 p. 543, der Fluss Gallos, die Stadt Modr <en>e in Phrygia Epiktetos und die Schiffbarkeit des Sangarios," <i>EA</i> 7 (1986) 125-152.</en>
Şahin 1992	S. Şahin, "Statthalter der Provinzen Pamphylia-Lycia und Bithynia-Pontus in der Zeit der Statusänderung beider Provinzen unter Mark Aurel und Lucius Verus," <i>EA</i> 20 (1992) 80-89.
Sarikakes 1971	Theodoros Sarikakes, <i>Romaioi archontes tes eparchias Makedonias</i> , 2 vols., Thessalonike, 1971-1977.
Scherrer 1990	P. Scherrer, "Augustus, die Mission des Vedius Pollio und die Artemis Ephesia," <i>JÖAI</i> 60 (1990) 87-101.
Schlumberger 1939	D. Schlumberger, "Bornes frontières de la Palmyrène," <i>Syria</i> 20 (1939) 43-73.
Slootjes 2000	D. Slootjes, Ceremonies upon the arrival of the governor: a forgotten aspect of Roman imperial routine, M.A. Thesis, Chapel Hill, 2000.
Smallwood 1966	E. Smallwood, <i>Documents Illustrating the Principates of Nerva</i> , <i>Trajan and Hadrian</i> , Cambridge, 1966.
Smallwood 1967	E. Smallwood, <i>Documents Illustrating the principates of Gaius</i> , <i>Claudius and Nero</i> , Cambridge, 1967.

Sonnabend 1994	H. Sonnabend and E. Olshausen (eds.), <i>Stuttgarter Kolloquium</i> zur historischen Geographie des Altertums 4, 1990, Bonn, 1994.
Spano 1910b	G. Spano, "Pompei - Relazione degli scavi eseguiti negli anni 1908 e 1909," <i>NSA</i> (1910) 377-418.
Stadter 1980	P. Stadter, Arrian of Nicomedia, Chapel Hill, 1980.
Stählin 1924	F. Stählin, Das Hellenische Thessalien: Landeskundliche und geschichtliche Beschreibung Thessaliens in der hellenischen und römischen Zeit, Amsterdam, 1924.
Stylow 1986	A. Stylow, "Apuntes sobre epigrafía de época flavia en Hispania," <i>Gerión</i> 4 (1986) 285-311.
Szemler 1989	G. Szemler et al., "The Donation of M. Acilius Glabrio, cos. 191: A Re-interpretation," <i>AHB</i> 3 (1989) 68-77.
Tačeva 1992	M. Tačeva, "Phylarchoi und Phylai in der Provinz Thracia," Index 20 (1992) 179-187.
Talbert 1984	R. Talbert, <i>The Senate of Imperial Rome</i> , Princeton, 1984.
Thomas 1976	J. Thomas, Textbook of Roman Law, Amsterdam, 1976.
Thomasson 1984	B. Thomasson, <i>Laterculi Praesidum</i> , 3 vols., Göteborg, 1984-1990.
Thomasson 1991	B. Thomasson, Legatus: Beiträge zur römischen
	Verwaltungsgeschichte, AIRRS 18, Stockholm, 1991.
Thomasson 1996	B.E. Thomasson, Fasti africani: senatorische und ritterliche Amtsträger in den römischen Provinzen Nordafrikas von Augustus bis Diokletian, SkrSvenInst 53, Stockholm, 1996.
Trousset 1976	P. Trousset, "Reconnaisances archéologiques sur la frontière saharience de l'Empire romain dans le sud-ouest de la Tunisie" in <i>Lille d'archéologie 1976</i> pp. 21-33.
Trousset 1978	P. Trousset, "Les bornes du Bled Segui. Nouveaux aperçus sur la centuriation romaine du sud Tunisie," <i>AntAf</i> 12 (1978) 125-178.

Trousset 1997	P. Trousset, "Un nouveau document sur la limitatio de C. Vibius Marsus (Sud Tunisien)" in <i>Roman Frontier Studies 1995</i> pp. 3-11.
Vallat 1979	J. Vallat, "Le vocabulaire des attributions de terres en Campanie: analyse spatiale et temporelle," <i>MEFRA</i> 91.2 (1979) 977-1013.
Vaquerizo Gil 1986	D. Vaquerizo Gil, "Epigrafía romana inédita de la llamada 'Siberia Extremeña'," <i>RevEsExtr</i> 42 (1986) 115-137.
Velkov 1970	V. Velkov, "Epigraphische Beiträge zur historischen Geographie der Moesia Inferior," <i>Studia Balcanica</i> 1 (1970) 55-60.
Vine 1993	B. Vine, "Review of Gager 1992," <i>BMCR</i> 04.02.03 (1993); URL: http://ccat.sas.upenn.edu/bmcr/1993/04.02.03.html.
Vulpe 1968	R. Vulpe and I. Barnea, <i>Romanii la Dunărea de Jos</i> , Bucarest, 1968.
Wace 1911	A. Wace and M. Thompson, "A Latin Inscription from Perrhaebia," <i>BSA</i> 17 (1910/1911) 193-204.
Whittaker 1978	C. Whittaker, "Land and Labour in North Africa," <i>Klio</i> 60 (1978) 331-362.
Wilkes 1967	J. Wilkes, "A New Governor of Dalmatia," <i>Epigraphische Studien</i> 4 (1967) 119-121.
Wilkes 1974	J. Wilkes, "Boundary Stones in Roman Dalmatia," <i>ArhVest</i> 25 (1974) 258-274.
Woodward 1913	A. Woodward, "Inscriptions from Thessaly and Macedonia," <i>JHS</i> 33 (1913) 313-346.